



General Assembly

**Substitute Bill No. 888**

January Session, 2021



**AN ACT RESPONSIBLY AND EQUITABLY REGULATING ADULT-USE CANNABIS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. (NEW) (*Effective from passage*) As used in RERACA, unless  
2       the context otherwise requires:

3       (1) "Responsible and Equitable Regulation of Adult-Use Cannabis  
4       Act" or "RERACA" means sections 1, 7, 9, 11 to 14, inclusive, 16, 18, 20  
5       to 65, inclusive, 82, 83, 89 to 101, 105 to 110, 112 to 114, inclusive, 121,  
6       124 to 127, inclusive, 134, and 135 of this act, and the amendments to  
7       sections 7-148, as amended by this act, 10-221, as amended by this act,  
8       12-30a, as amended by this act, 12-35b, as amended by this act, 12-407,  
9       12-412, 12-650, as amended by this act, 12-704d, as amended by this act,  
10      14-44k, 14-111e, 14-227a to 14-227c, inclusive, as amended by this act, 15-  
11      140q, as amended by this act, 15-140r, as amended by this act, 19a-342,  
12      as amended by this act, 19a-342a, as amended by this act, 21a-6 to 21a-  
13      8, inclusive, 21a-267, as amended by this act, 21a-277, 21a-279, as  
14      amended by this act, 21a-279a, as amended by this act, 21a-408 to 21a-  
15      408d, inclusive, 21a-408f, 21a-408h, 21a-408j, 21a-408k to 21a-408m,  
16      inclusive, 21a-408p, 21a-408r to 21a-408u, inclusive, 30-89a, 31-40q, as  
17      amended by this act, 46b-120, as amended by this act, 51-164n, as  
18      amended by this act, 54-63d and 54-142e of the general statutes, as

19 amended by this act.

20 (2) "Backer" means any individual with a direct or indirect financial  
21 interest in a cannabis establishment. "Backer" does not include an  
22 individual with an investment interest in a cannabis establishment if (A)  
23 the interest held by such individual and such individual's coworkers,  
24 employees, spouse, parent or child, in the aggregate, does not exceed  
25 five per cent of the total ownership or interest rights in such cannabis  
26 establishment, and (B) such individual does not participate directly or  
27 indirectly in the control, management or operation of the cannabis  
28 establishment;

29 (3) "Bona fide labor organization" means a labor union (A) that  
30 represents employees in this state with regard to wages, hours and  
31 working conditions, (B) whose officers have been elected by a secret  
32 ballot or otherwise in a manner consistent with federal law, (C) that is  
33 free of domination or interference by any employer, (D) that has  
34 received no improper assistance or support from any employer, and (E)  
35 that is actively seeking to represent cannabis workers in this state;

36 (4) "Cannabis" means marijuana, as defined in section 21a-240 of the  
37 general statutes;

38 (5) "Cannabis Control Commission" means the commission  
39 established to regulate licenses and monitor the recreational adult use  
40 cannabis industry, under section 21 of this act;

41 (6) "Cannabis establishment" means a producer, dispensary facility,  
42 cultivator, micro-cultivator, retailer, hybrid retailer, food and beverage  
43 manufacturer, product manufacturer, product packager or delivery  
44 service;

45 (7) "Cannabis flower" means the flower, including abnormal and  
46 immature flowers, of a plant of the genus cannabis that has been  
47 harvested, dried and cured, and prior to any processing whereby the  
48 flower material is transformed into a cannabis product. "Cannabis  
49 flower" does not include (A) the leaves or stem of such plant, or (B)

50 hemp, as defined in section 22-61l of the general statutes;

51 (8) "Cannabis trim" means all parts, including abnormal or immature  
52 parts, of a plant of the genus cannabis, other than cannabis parts, that  
53 have been harvested, dried and cured, and prior to any processing  
54 whereby the plant material is transformed into a cannabis product.  
55 "Cannabis trim" does not include hemp, as defined in section 22-61l of  
56 the general statutes;

57 (9) "Cannabis product" means a cannabis concentrate or a product  
58 that contains cannabis, which may be combined with other ingredients,  
59 and is intended for use or consumption. "Cannabis product" does not  
60 include the raw cannabis plant;

61 (10) "Cannabis concentrate" means any form of concentration,  
62 including, but not limited to, extracts, oils, tinctures, shatter and waxes,  
63 that is extracted from cannabis or a cannabis product;

64 (11) "Canopy space" means the surface area utilized to produce  
65 mature marijuana plants calculated in square feet and measured using  
66 the outside boundaries of any area that includes mature marijuana  
67 plants, including all the space within the boundaries;

68 (12) "Commissioner" means the Commissioner of Consumer  
69 Protection and includes any designee of the commissioner;

70 (13) "Consumer" means an individual who is twenty-one years of age  
71 or older;

72 (14) "Cultivation" has the same meaning as provided in section 21a-  
73 408 of the general statutes;

74 (15) "Cultivator" means a person engaged in the cultivation, growing  
75 and propagation of the cannabis plant at an establishment with not less  
76 than fifteen thousand square feet of grow space;

77 (16) "Delivery service" means a person that is licensed to transport

78 cannabis and cannabis products between cannabis establishments and  
79 research programs and from micro-cultivators, retailers, dispensary  
80 facilities and hybrid retailers to consumers, qualifying patients,  
81 caregivers and research program subjects, as defined in section 21a-408  
82 of the general statutes;

83 (17) "Department" means the Department of Consumer Protection;

84 (18) "Dispensary facility" means a place of business where marijuana  
85 may be dispensed, sold or distributed in accordance with chapter 420f  
86 of the general statutes and any regulations adopted thereunder, to  
87 qualifying patients and caregivers, and for which the department has  
88 issued a dispensary facility license to an applicant under chapter 420f of  
89 the general statutes and any regulations adopted thereunder;

90 (19) "Disproportionately affected community" means any of the top  
91 twenty communities on the most recent Public Investment Community  
92 index prepared by the Office of Policy and Management in accordance  
93 with the provisions of section 7-545 of the general statutes or a census  
94 tract in any municipality in which the unemployment rate is greater  
95 than the state-wide unemployment rate and the percentage of residents  
96 of such municipality below the federal poverty level is greater than the  
97 state-wide percentage of residents below the federal poverty level.

98 (20) "Disqualifying conviction" means a conviction within the last ten  
99 years which has not been the subject of an absolute pardon under the  
100 provisions of section 54-130a of the general statutes, or an equivalent  
101 pardon process under the laws of another state or the federal  
102 government, for an offense under (A) section 53a-276, 53a-277 or 53a-  
103 278 of the general statutes; (B) section 53a-291, 53a-292 or 53a-293 of the  
104 general statutes; (C) section 53a-215 of the general statutes; (D) section  
105 53a-138 or 53a-139 of the general statutes; (E) section 53a-142a of the  
106 general statutes; (F) sections 53a-147 to 53a-162, inclusive, of the general  
107 statutes; (G) sections 53a-125c to 53a-125f, inclusive, of the general  
108 statutes; (H) section 53a-129b, 53a-129c or 53a-129d of the general  
109 statutes; (I) subsection (b) of section 12-737 of the general statutes; (J)

110 section 53a-48 or 53a-49 of the general statutes, if the offense which is  
111 attempted or is an object of the conspiracy is an offense under the  
112 statutes listed in subparagraphs (A) to (I), inclusive, of this subdivision;  
113 or (K) the law of any other state or of the federal government, if the  
114 offense on which such conviction is based is defined by elements that  
115 substantially include the elements of an offense under the statutes listed  
116 in subparagraphs (A) to (J), inclusive, of this subdivision;

117 (21) "Dispensary technician" means an individual who has had an  
118 active pharmacy technician registration in this state within the past five  
119 years, is affiliated with a licensed dispensary facility and is registered  
120 with the department in accordance with chapter 420f of the general  
121 statutes and any regulations adopted thereunder;

122 (22) "Employee" means any person who is not a backer, but is a  
123 member of the board of a company with an ownership interest in a  
124 cannabis establishment, and any person employed by a cannabis  
125 establishment or who otherwise has access to such establishment or the  
126 vehicles used to transport cannabis or cannabis products, including, but  
127 not limited to, an independent contractor who has routine access to the  
128 premises of such establishment or to the cannabis or cannabis products  
129 handled by such establishment;

130 (23) "Equity" and "equitable" means efforts, regulations, policies,  
131 programs, standards, processes and any other functions of government  
132 or principles of law and governance intended to: (A) Identify and  
133 remedy past and present patterns of discrimination and disparities of  
134 race, ethnicity, gender and sexual orientation; (B) ensure that such  
135 patterns of discrimination and disparities, whether intentional or  
136 unintentional, are neither reinforced nor perpetuated; and (C) prevent  
137 the emergence and persistence of foreseeable future patterns of  
138 discrimination or disparities of race, ethnicity, gender, and sexual  
139 orientation;

140 (24) "Extract" means the preparation, compounding, conversion or  
141 processing of cannabis, either directly or indirectly by extraction or

142 independently by means of chemical synthesis, or by a combination of  
143 extraction and chemical synthesis to produce a cannabis concentrate;

144 (25) "Financial interest" means any actual, or a future right to,  
145 ownership, an investment or a compensation arrangement with another  
146 person, directly, through business, investment or family. "Financial  
147 interest" does not include ownership of investment securities in a  
148 publicly-held corporation that is traded on a national exchange or over-  
149 the-counter market, provided the investment securities held by such  
150 person and such person's spouse, parent or child, in the aggregate, do  
151 not exceed one-half of one per cent of the total number of shares issued  
152 by the corporation.

153 (26) "Food and beverage manufacturer" means a person whose  
154 license permits such person to own and operate a place of business that  
155 acquires cannabis and creates food and beverages;

156 (27) "Grow space" means the portion of a premises owned and  
157 controlled by a producer, cultivator or micro-cultivator that is utilized  
158 for the cultivation, growing or propagation of the cannabis plant. "Grow  
159 space" does not include space used to cure, process, store harvested  
160 cannabis or manufacture cannabis once the cannabis has been  
161 harvested;

162 (28) "Hybrid retailer" means a person that is licensed to purchase  
163 cannabis and sell cannabis, cannabis products and medical marijuana  
164 products;

165 (29) "Key employee" means an employee with the following  
166 management position or an equivalent title within a cannabis  
167 establishment: (A) President or chief officer, who is the top ranking  
168 individual at the cannabis establishment and is responsible for all staff  
169 and overall direction of business operations; (B) financial manager, who  
170 is the individual who reports to the president or chief officer and who is  
171 generally responsible for oversight of the financial operations of the  
172 cannabis establishment, including, but not limited to, revenue

173 generation, distributions, tax compliance and budget implementation;  
174 or (C) compliance manager, who is the individual who reports to the  
175 president or chief officer and who is generally responsible for ensuring  
176 the cannabis establishment complies with all laws, regulations and  
177 requirements related to the operation of the cannabis establishment;

178 (30) "Laboratory" has the same meaning as provided in section 21a-  
179 408 of the general statutes;

180 (31) "Laboratory employee" means an individual who is registered as  
181 a laboratory employee pursuant to section 21a-408r of the general  
182 statutes;

183 (32) "Labor peace agreement" means an agreement between a  
184 cannabis establishment and a bona fide labor organization that protects  
185 the state's interests by, at minimum, prohibiting the labor organization  
186 from engaging in picketing, work stoppages or boycotts against the  
187 cannabis establishment;

188 (33) "Manufacture" means to add or incorporate cannabis into other  
189 products or ingredients or create a cannabis product;

190 (34) "Marijuana product" means a product that contains marijuana,  
191 which may be combined with other ingredients, and is intended for use  
192 or consumption. "Marijuana product" does not include the raw  
193 marijuana plant;

194 (35) "Medical marijuana product" means a marijuana or marijuana  
195 product that may be exclusively sold to qualifying patients and  
196 caregivers by dispensary facilities and hybrid retailers and which are  
197 designated by the commissioner as reserved for sale to qualifying  
198 patients and caregivers and published on the department's Internet web  
199 site;

200 (36) "Micro-cultivator" means a person engaged in the cultivation,  
201 growing and propagation of the cannabis plant at an establishment  
202 containing not less than two thousand square feet and not more than

203 five thousand square feet of grow space, prior to any expansion  
204 authorized by the commissioner;

205 (37) "Municipality" means any town, city or borough, consolidated  
206 town and city or consolidated town and borough;

207 (38) "Paraphernalia" means drug paraphernalia, as defined in section  
208 21a-240 of the general statutes;

209 (39) "Person" means an individual, partnership, limited liability  
210 company, society, association, joint stock company, corporation, estate,  
211 receiver, trustee, assignee, referee or any other legal entity and any other  
212 person acting in a fiduciary or representative capacity, whether  
213 appointed by a court or otherwise, and any combination thereof;

214 (40) "Producer" means a person who is licensed as a producer  
215 pursuant to section 21a-408i of the general statutes, as amended by this  
216 act, and any regulations adopted thereunder;

217 (41) "Product manufacturer" means a person that is licensed to obtain  
218 cannabis, extract and manufacture products exclusive to such license  
219 type and who is permitted to sell or transfer cannabis and cannabis  
220 products to laboratories, research programs and cannabis  
221 establishments;

222 (42) "Product packager" means a person that is licensed to package  
223 and label cannabis and cannabis products;

224 (43) "Qualifying patient" has the same meaning as provided in section  
225 21a-408 of the general statutes;

226 (44) "Research program" has the same meaning as provided in section  
227 21a-408 of the general statutes;

228 (45) "Retailer" means a person, excluding a dispensary facility and  
229 hybrid retailer, that is licensed to purchase cannabis and cannabis  
230 products from producers, cultivators, micro-cultivators, product



231 manufacturers and food and beverage manufacturers and to sell  
232 cannabis and cannabis products to consumers and research programs;

233 (46) "Sale" or "sell" has the same meaning as provided in section 21a-  
234 240 of the general statutes;

235 (47) "Social equity applicant" means a person that has applied for a  
236 license for a cannabis establishment, where such establishment (A) is at  
237 least fifty-one per cent owned by an individual or individuals whose  
238 primary addresses for the five years immediately preceding the date of  
239 such application are in this state and who meet at least one of the  
240 following criteria, or (B) is under the day-to-day control of an individual  
241 or individuals whose primary addresses for the five years immediately  
242 preceding the date of such application are in this state and at least fifty-  
243 one per cent of whom meet at least one of the following criteria:

244 (i) The individual was, as an adult or as a juvenile, arrested for or  
245 convicted of, the sale, possession, use, manufacture or cultivation of  
246 cannabis;

247 (ii) The individual has a parent, spouse or child who was, as an adult  
248 or as a juvenile, arrested for or convicted of the sale, possession, use,  
249 manufacture or cultivation of cannabis;

250 (iii) The individual has been a resident of a disproportionately  
251 affected community for not less than five of the ten years immediately  
252 preceding the date of such application; or

253 (iv) The individual is a resident of tribal land;

254 (48) "THC" means tetrahydrocannabinol and any material,  
255 compound, mixture or preparation which contain their salts, isomers  
256 and salts of isomers, whenever the existence of such salts, isomers and  
257 salts of isomers is possible within the specific chemical designation,  
258 regardless of the source, except: (A) dronabinol in sesame oil and  
259 encapsulated in a soft gelatin capsule in a federal Food and Drug  
260 Administration approved product, and (B) any tetrahydrocannabinol

261 product that has been approved by the federal Food and Drug  
262 Administration or successor agency to have a medical use and  
263 reclassified in any schedule of controlled substances or unscheduled by  
264 the federal Drug Enforcement Administration or successor agency;

265 (49) "Third-party lottery operator" means a person, or a constituent  
266 unit of the state system of higher education, that conducts the initial  
267 selection of cannabis establishment applicants from the lottery pursuant  
268 to section 35 of this act and that has no direct or indirect oversight of or  
269 investment in a cannabis establishment;

270 (50) "Transfer" means to transfer, change, give or otherwise dispose  
271 of control over or interest in; and

272 (51) "Transport" means to physically move from one place to another.

273 Sec. 2. Subsection (a) of section 21a-279 of the general statutes is  
274 repealed and the following is substituted in lieu thereof (*Effective January*  
275 *1, 2022*):

276 (a) (1) Any person who possesses or has under such person's control  
277 any quantity of any controlled substance, except [less than one-half  
278 ounce of a cannabis-type substance] any quantity of cannabis or  
279 cannabis product, as defined in section 1 of this act, and except as  
280 authorized in this chapter, shall be guilty of a class A misdemeanor.

281 (2) For a second offense of subdivision (1) of this subsection, the court  
282 shall evaluate such person and, if the court determines such person is a  
283 drug-dependent person, the court may suspend prosecution of such  
284 person and order such person to undergo a substance abuse treatment  
285 program.

286 (3) For any subsequent offense of subdivision (1) of this subsection,  
287 the court may find such person to be a persistent offender for possession  
288 of a controlled substance in accordance with section 53a-40.

289 Sec. 3. Section 21a-279a of the general statutes is repealed and the

290 following is substituted in lieu thereof (*Effective January 1, 2022*):

291 (a) Any person [who possesses or has under his control less than one-  
292 half ounce of a cannabis-type substance, as defined in section 21a-240,  
293 except as authorized in this chapter, shall (1) for a first offense, be fined  
294 one hundred fifty dollars, and (2) for a subsequent offense, be fined not  
295 less than two hundred dollars or more than five hundred dollars]  
296 twenty-one years of age or older may possess, use and otherwise  
297 consume cannabis and cannabis products, provided the amount of all  
298 such cannabis, including the amount contained in any cannabis product,  
299 does not exceed such person's possession limit of (1) one and one-half  
300 ounces of cannabis plant material and five ounces of cannabis plant  
301 material in a locked container at such person's residence, (2) an  
302 equivalent amount of cannabis product, as provided in subsection (h) of  
303 this section, or (3) an equivalent amount of a combination of cannabis  
304 and cannabis product, as provided in subsection (h) of this section.

305 (b) Any person under eighteen years of age who possesses or has  
306 under such person's control less than (1) four ounces of cannabis plant  
307 material, (2) an equivalent amount of cannabis product, as provided in  
308 subsection (h) of this section, or (3) an equivalent amount of a  
309 combination of cannabis and cannabis product, as provided in  
310 subsection (h) of this section, except as authorized in this chapter or  
311 chapter 420f, shall for a (A) first offense, be issued a written warning,  
312 and such person may be referred to a youth services bureau established  
313 under section 10-19m or to any other appropriate services, (B) second  
314 offense, be referred to a youth services bureau established under section  
315 10-19m or to any other appropriate services, or (C) third offense, be  
316 adjudicated delinquent pursuant to the provisions of section 46b-120, as  
317 amended by this act. No person may be arrested for a violation of this  
318 subsection.

319 (c) Any person eighteen years of age or older but under twenty-one  
320 years of age, who possesses or has under such person's control less than  
321 (1) four ounces of cannabis plant material, (2) an equivalent amount of  
322 cannabis product, as provided in subsection (h) of this section, or (3) an

323 equivalent amount of a combination of cannabis and cannabis product,  
324 as provided in subsection (h) of this section, except as authorized in this  
325 chapter or chapter 420f, shall be required to view and sign a statement  
326 acknowledging the health effects of cannabis on young people and shall  
327 (A) for a first offense, be fined fifty dollars, provided such person may  
328 attest to his or her indigency, in which case such fine shall be waived,  
329 (B) for a second offense, be fined one hundred fifty dollars, provided  
330 such person may in lieu of paying such fine, contribute six community  
331 service hours to a private nonprofit charity or other nonprofit  
332 organization and attest to and present documentation confirming that  
333 such community service was performed.

334 (d) Any person twenty-one years of age or older who possesses or  
335 has under such person's control more than the possession limit pursuant  
336 to subsection (a) of this section, but less than (1) four ounces of cannabis  
337 plant material and five ounces of cannabis plant material in a locked  
338 container at such person's residence, (2) an equivalent amount of  
339 cannabis product, as provided in subsection (h) of this section, or (3) an  
340 equivalent amount of a combination of cannabis and cannabis product,  
341 as provided in subsection (h) of this section, except as authorized in this  
342 chapter or chapter 420f, shall for a (A) first offense, be fined one hundred  
343 fifty dollars, and (B) subsequent offense, be fined three hundred dollars.

344 (e) (1) Any person who possesses or has under such person's control  
345 (A) four ounces or more of cannabis plant material or five or more  
346 ounces of cannabis plant material in a locked container at such person's  
347 residence, (B) an equivalent amount of cannabis product, as provided in  
348 subsection (h) of this section, or (C) an equivalent amount of a  
349 combination of cannabis and cannabis product, as provided in  
350 subsection (h) of this section, except as authorized in this chapter,  
351 chapter 420f or section 26 or 28 of this act, sections 42 to 49, inclusive, of  
352 this act, or section 52 or 55 of this act, shall for a (i) first offense, be fined  
353 five hundred dollars, and (ii) subsequent offense, be guilty of a class C  
354 misdemeanor.

355       (2) For an offense under subdivision (1) of this subsection, the court  
356       shall evaluate such person and, if the court determines such person is a  
357       drug-dependent person, the court may suspend prosecution of such  
358       person and order such person to undergo a substance abuse treatment  
359       program.

360       [(b)] (f) The law enforcement officer issuing a complaint for a  
361       violation of subsection [(a)] (b), (c), (d) or (e) of this section shall seize  
362       [the cannabis-type substance] all cannabis or cannabis products and  
363       cause such substance to be destroyed as contraband in accordance with  
364       law.

365       [(c)] (g) Any person who, at separate times, has twice entered a plea  
366       of nolo contendere to, or been found guilty after trial of, a violation of  
367       subsection [(a)] (e) of this section shall, upon a subsequent plea of nolo  
368       contendere to, or finding of guilty of, a violation of said subsection, be  
369       referred for participation in a drug education program at such person's  
370       own expense.

371       (h) (1) For purposes of any possession limit specified in this section  
372       and sections 12, 14, 16, 18, 28, 90 and 96 of this act and section 21a-408b,  
373       as amended by this act, one ounce of cannabis plant material shall be  
374       considered equivalent to (A) five grams of cannabis concentrate, or (B)  
375       any other cannabis product or products with up to five hundred  
376       milligrams of THC.

377       (2) For purposes of subsection (a) of this section, one and one-half  
378       ounces of cannabis plant material shall be considered equivalent to (A)  
379       seven and one-half grams of cannabis concentrate, or (B) any other  
380       cannabis product or products with up to seven hundred fifty milligrams  
381       of THC.

382       (3) (A) For purposes of subsections (b) to (e), inclusive, of this section,  
383       four ounces of cannabis plant material shall be considered equivalent to  
384       (i) twenty grams of cannabis concentrate, or (ii) any other cannabis  
385       product or products with up to two thousand milligrams of THC.

386     (B) For purposes of subsections (b) to (e), inclusive, of this section,  
387     five ounces of cannabis plant material shall be considered equivalent to  
388     (i) twenty-five grams of cannabis concentrate, or (ii) any other cannabis  
389     product or products with up to two thousand five hundred milligrams  
390     of THC.

391     (4) For purposes of any possession limit specified in this section and  
392     sections 12, 14, 16, 18, 28, 90 and 96 of this act, section 21a-267, as  
393     amended by this act, and section 21a-408b, as amended by this act, the  
394     amount possessed shall be calculated by converting any quantity of  
395     cannabis product to its equivalent quantity of cannabis plant material,  
396     and then taking the sum of any such quantities.

397     (i) (1) As used in this section, "cannabis", "cannabis flower", "cannabis  
398     trim", "cannabis concentrate" and "cannabis product" have the same  
399     meanings as provided in section 1 of this act.

400     (2) As used in this section, "cannabis plant material" means cannabis  
401     flower, cannabis trim and all parts of any plant or species of the genus  
402     cannabis, or any infra specific taxon thereof, excluding a growing plant,  
403     and the seeds thereof. "Cannabis plant material" does not include  
404     industrial hemp, as defined in 7 USC 5940, as amended from time to  
405     time.

406     Sec. 4. Section 21a-267 of the general statutes is repealed and the  
407     following is substituted in lieu thereof (*Effective January 1, 2022*):

408     (a) No person shall use or possess with intent to use drug  
409     paraphernalia, as defined in subdivision (20) of section 21a-240, to plant,  
410     propagate, cultivate, grow, harvest, manufacture, compound, convert,  
411     produce, process, prepare, test, analyze, pack, repack, store, contain or  
412     conceal, or to ingest, inhale or otherwise introduce into the human body,  
413     any controlled substance, as defined in subdivision (9) of section 21a-  
414     240, other than [a cannabis-type substance in a quantity of less than one-  
415     half ounce] (1) cannabis plant material, as defined in section 21a-279a,  
416     as amended by this act, in a quantity of less than four ounces or an

417 equivalent amount of cannabis product or a combination of cannabis  
418 and cannabis product, as provided in subsection (h) of section 21a-279a,  
419 as amended by this act, or (2) six or fewer cannabis plants in such  
420 person's own residence for personal use. Any person who violates any  
421 provision of this subsection shall be guilty of a class C misdemeanor.

422 (b) No person shall deliver, possess with intent to deliver or  
423 manufacture with intent to deliver drug paraphernalia knowing, or  
424 under circumstances where one reasonably should know, that it will be  
425 used to plant, propagate, cultivate, grow, harvest, manufacture,  
426 compound, convert, produce, process, prepare, test, analyze, pack,  
427 repack, store, contain or conceal, or to ingest, inhale or otherwise  
428 introduce into the human body, any controlled substance, other than [a  
429 cannabis-type substance in a quantity of less than one-half ounce] (1)  
430 cannabis plant material, as defined in section 21a-279a, as amended by  
431 this act, in a quantity of less than four ounces or an equivalent amount  
432 of cannabis product or a combination of cannabis and cannabis product,  
433 as provided in subsection (h) of section 21a-279a, as amended by this  
434 act, or (2) six or fewer cannabis plants in such person's own residence  
435 for personal use. Any person who violates any provision of this  
436 subsection shall be guilty of a class A misdemeanor.

437 (c) Any person who violates subsection (a) or (b) of this section in or  
438 on, or within one thousand five hundred feet of, the real property  
439 comprising a public or private elementary or secondary school and who  
440 is not enrolled as a student in such school shall be imprisoned for a term  
441 of one year which shall not be suspended and shall be in addition and  
442 consecutive to any term of imprisonment imposed for violation of  
443 subsection (a) or (b) of this section.

444 (d) (1) No person shall [(1)] (A) use or possess with intent to use drug  
445 paraphernalia to plant, propagate, cultivate, grow, harvest,  
446 manufacture, compound, convert, produce, process, prepare, test,  
447 analyze, pack, repack, store, contain or conceal, or to ingest, inhale or  
448 otherwise introduce into the human body, [less than one-half ounce of  
449 a cannabis-type substance] (i) cannabis plant material, as defined in

450 section 21a-279a, as amended by this act, in a quantity of less than four  
451 ounces or an equivalent amount of cannabis product or a combination  
452 of cannabis and cannabis product, as provided in subsection (h) of  
453 section 21a-279a, as amended by this act, or (ii) six or fewer cannabis  
454 plants in such person's own residence for personal use, or [(2)] (B)  
455 deliver, possess with intent to deliver or manufacture with intent to  
456 deliver drug paraphernalia knowing, or under circumstances where one  
457 reasonably should know, that it will be used to plant, propagate,  
458 cultivate, grow, harvest, manufacture, compound, convert, produce,  
459 process, prepare, test, analyze, pack, repack, store, contain or conceal, or  
460 to ingest, inhale or otherwise introduce into the human body, [less than  
461 one-half ounce of a cannabis-type substance] (i) cannabis plant material,  
462 as defined in section 21a-279a, as amended by this act, in a quantity of  
463 less than four ounces or an equivalent amount of cannabis product or a  
464 combination of cannabis and cannabis product, as provided in  
465 subsection (h) of section 21a-279a, as amended by this act, or (ii) six or  
466 fewer cannabis plants in such person's own residence for personal use.

467 (2) Any person who violates any provision of this subsection shall (A)  
468 if such person is under eighteen years of age, (i) for a first offense, be  
469 issued a written warning, and such person may be referred to a youth  
470 services bureau established under section 10-19m or to any other  
471 appropriate services, (ii) for a second offense, be referred to a youth  
472 services bureau established under section 10-19m or to any other  
473 appropriate services, (iii) for a third offense, be adjudicated delinquent  
474 pursuant to the provisions of section 46b-120, as amended by this act,  
475 provided no such person may be arrested for a violation of this  
476 subsection, or (B) if such person is eighteen years of age or older, have  
477 committed an infraction.

478 (e) The provisions of subsection (a) of this section shall not apply to  
479 any person (1) who in good faith, seeks medical assistance for another  
480 person who such person reasonably believes is experiencing an  
481 overdose from the ingestion, inhalation or injection of intoxicating  
482 liquor or any drug or substance, (2) for whom another person, in good



483 faith, seeks medical assistance, reasonably believing such person is  
484 experiencing an overdose from the ingestion, inhalation or injection of  
485 intoxicating liquor or any drug or substance, or (3) who reasonably  
486 believes he or she is experiencing an overdose from the ingestion,  
487 inhalation or injection of intoxicating liquor or any drug or substance  
488 and, in good faith, seeks medical assistance for himself or herself, if  
489 evidence of the use or possession of drug paraphernalia in violation of  
490 said subsection was obtained as a result of the seeking of such medical  
491 assistance. For the purposes of this subsection, "good faith" does not  
492 include seeking medical assistance during the course of the execution of  
493 an arrest warrant or search warrant or a lawful search.

494 Sec. 5. Section 46b-120 of the general statutes is repealed and the  
495 following is substituted in lieu thereof (*Effective January 1, 2022*):

496 The terms used in this chapter shall, in its interpretation and in the  
497 interpretation of other statutes, be defined as follows:

498 (1) "Child" means any person under eighteen years of age who has  
499 not been legally emancipated, except that (A) for purposes of  
500 delinquency matters and proceedings, "child" means any person who (i)  
501 is at least seven years of age at the time of the alleged commission of a  
502 delinquent act and who is (I) under eighteen years of age and has not  
503 been legally emancipated, or (II) eighteen years of age or older and  
504 committed a delinquent act prior to attaining eighteen years of age, or  
505 (ii) is subsequent to attaining eighteen years of age, (I) violates any order  
506 of the Superior Court or any condition of probation ordered by the  
507 Superior Court with respect to a delinquency proceeding, or (II) wilfully  
508 fails to appear in response to a summons under section 46b-133 or at any  
509 other court hearing in a delinquency proceeding of which the child had  
510 notice, and (B) for purposes of family with service needs matters and  
511 proceedings, child means a person who is at least seven years of age and  
512 is under eighteen years of age;

513 (2) (A) A child may be adjudicated as "delinquent" who has, while  
514 under sixteen years of age, (i) violated any federal or state law, except

515 as described in subparagraph (A)(i) or (ii) of subdivision (2) of  
516 subsection (d) of section 21a-267, as amended by this act, or  
517 subparagraph (A) or (B) of subdivision (3) of subsection (b) of section  
518 21a-279a, as amended by this act, or except section 53a-172, 53a-173, 53a-  
519 222, 53a-222a, 53a-223 or 53a-223a, or violated a municipal or local  
520 ordinance, except an ordinance regulating behavior of a child in a family  
521 with service needs, (ii) wilfully failed to appear in response to a  
522 summons under section 46b-133 or at any other court hearing in a  
523 delinquency proceeding of which the child had notice, (iii) violated any  
524 order of the Superior Court in a delinquency proceeding, except as  
525 provided in section 46b-148, or (iv) violated conditions of probation  
526 supervision or probation supervision with residential placement in a  
527 delinquency proceeding as ordered by the court;

528 (B) A child may be adjudicated as "delinquent" who has (i) while  
529 sixteen or seventeen years of age, violated any federal or state law, other  
530 than (I) an infraction, except an infraction under subsection (d) of section  
531 21a-267, as amended by this act, (II) a violation, except a violation under  
532 subsection [(a)] (e) of section 21a-279a, as amended by this act, (III) a  
533 motor vehicle offense or violation under title 14, (IV) a violation of a  
534 municipal or local ordinance, [or] (V) a violation of section 51-164r, 53a-  
535 172, 53a-173, 53a-222, 53a-222a, 53a-223 or 53a-223a, or (VI) a violation  
536 described in subparagraph (A)(i) or (ii) of subdivision (2) of subsection  
537 (d) of section 21a-267, as amended by this act, or subparagraph (A) or  
538 (B) of subdivision (3) of subsection (b) of section 21a-279a, as amended  
539 by this act, (ii) while sixteen years of age or older, wilfully failed to  
540 appear in response to a summons under section 46b-133 or at any other  
541 court hearing in a delinquency proceeding of which the child had notice,  
542 (iii) while sixteen years of age or older, violated any order of the  
543 Superior Court in a delinquency proceeding, except as provided in  
544 section 46b-148, or (iv) while sixteen years of age or older, violated  
545 conditions of probation supervision or probation supervision with  
546 residential placement in a delinquency proceeding as ordered by the  
547 court;

548 (3) "Family with service needs" means a family that includes a child  
549 who is at least seven years of age and is under eighteen years of age  
550 who, according to a petition lawfully filed on or before June 30, 2020,  
551 (A) has without just cause run away from the parental home or other  
552 properly authorized and lawful place of abode, (B) is beyond the control  
553 of the child's parent, parents, guardian or other custodian, (C) has  
554 engaged in indecent or immoral conduct, or (D) is thirteen years of age  
555 or older and has engaged in sexual intercourse with another person and  
556 such other person is thirteen years of age or older and not more than  
557 two years older or younger than such child;

558 (4) A child may be found "neglected" who, for reasons other than  
559 being impoverished, (A) has been abandoned, (B) is being denied  
560 proper care and attention, physically, educationally, emotionally or  
561 morally, or (C) is being permitted to live under conditions,  
562 circumstances or associations injurious to the well-being of the child;

563 (5) A child may be found "abused" who (A) has been inflicted with  
564 physical injury or injuries other than by accidental means, (B) has  
565 injuries that are at variance with the history given of them, or (C) is in a  
566 condition that is the result of maltreatment, including, but not limited  
567 to, malnutrition, sexual molestation or exploitation, deprivation of  
568 necessities, emotional maltreatment or cruel punishment;

569 (6) A child may be found "uncared for" (A) who is homeless, (B)  
570 whose home cannot provide the specialized care that the physical,  
571 emotional or mental condition of the child requires, or (C) who has been  
572 identified as a victim of trafficking, as defined in section 46a-170. For the  
573 purposes of this section, the treatment of any child by an accredited  
574 Christian Science practitioner, in lieu of treatment by a licensed  
575 practitioner of the healing arts, shall not of itself constitute neglect or  
576 maltreatment;

577 (7) "Delinquent act" means (A) the violation by a child under the age  
578 of sixteen of any federal or state law, except a violation described in  
579 subparagraph (A)(i) or (ii) of subdivision (2) of subsection (d) of section

21a-267, as amended by this act, subparagraph (A) or (B) of subdivision (3) of subsection (b) of section 21a-279a, as amended by this act, the violation of section 53a-172, 53a-173, 53a-222, 53a-222a, 53a-223 or 53a-223a, or the violation of a municipal or local ordinance, except an ordinance regulating behavior of a child in a family with service needs, (B) the violation by a child sixteen or seventeen years of age of any federal or state law, other than (i) an infraction, except an infraction under subsection (d) of section 21a-267, as amended by this act, (ii) a violation, except a violation under subsection [(a)] (e) of section 21a-279a, as amended by this act, (iii) a motor vehicle offense or violation under title 14, (iv) the violation of a municipal or local ordinance, [or] (v) the violation of section 51-164r, 53a-172, 53a-173, 53a-222, 53a-222a, 53a-223 or 53a-223a, or (vi) a violation described in subparagraph (A)(i) or (ii) of subdivision (2) of subsection (d) of section 21a-267, as amended by this act, subparagraph (A) or (B) of subdivision (3) of subsection (b) of section 21a-279a, as amended by this act, (C) the wilful failure of a child, including a child who has attained the age of eighteen, to appear in response to a summons under section 46b-133 or at any other court hearing in a delinquency proceeding of which the child has notice, (D) the violation of any order of the Superior Court in a delinquency proceeding by a child, including a child who has attained the age of eighteen, except as provided in section 46b-148, or (E) the violation of conditions of probation supervision or probation supervision with residential placement in a delinquency proceeding by a child, including a child who has attained the age of eighteen, as ordered by the court;

(8) "Serious juvenile offense" means (A) the violation of, including attempt or conspiracy to violate, section 21a-277, as amended by this act, 21a-278, 29-33, 29-34, 29-35, subdivision (2) or (3) of subsection (a) of section 53-21, 53-80a, 53-202b, 53-202c, 53-390 to 53-392, inclusive, 53a-54a to 53a-57, inclusive, 53a-59 to 53a-60c, inclusive, 53a-64aa, 53a-64bb, 53a-70 to 53a-71, inclusive, 53a-72b, 53a-86, 53a-92 to 53a-94a, inclusive, 53a-95, 53a-100aa, 53a-101, 53a-102a, 53a-103a or 53a-111 to 53a-113, inclusive, subdivision (1) of subsection (a) of section 53a-122, subdivision (3) of subsection (a) of section 53a-123, section 53a-134, 53a-

614 135, 53a-136a or 53a-167c, subsection (a) of section 53a-174, or section  
615 53a-196a, 53a-211, 53a-212, 53a-216 or 53a-217b, or (B) absconding,  
616 escaping or running away, without just cause, from any secure  
617 residential facility in which the child has been placed by the court as a  
618 delinquent child;

619 (9) "Serious juvenile offender" means any child adjudicated as  
620 delinquent for the commission of a serious juvenile offense;

621 (10) "Serious juvenile repeat offender" means any child charged with  
622 the commission of any felony if such child has previously been  
623 adjudicated as delinquent or otherwise adjudicated at any age for two  
624 violations of any provision of title 21a, 29, 53 or 53a that is designated as  
625 a felony;

626 (11) "Alcohol-dependent" means a psychoactive substance  
627 dependence on alcohol as that condition is defined in the most recent  
628 edition of the American Psychiatric Association's "Diagnostic and  
629 Statistical Manual of Mental Disorders";

630 (12) "Drug-dependent" means a psychoactive substance dependence  
631 on drugs as that condition is defined in the most recent edition of the  
632 American Psychiatric Association's "Diagnostic and Statistical Manual  
633 of Mental Disorders". No child shall be classified as drug-dependent  
634 who is dependent (A) upon a morphine-type substance as an incident  
635 to current medical treatment of a demonstrable physical disorder other  
636 than drug dependence, or (B) upon amphetamine-type, ataractic,  
637 barbiturate-type, hallucinogenic or other stimulant and depressant  
638 substances as an incident to current medical treatment of a  
639 demonstrable physical or psychological disorder, or both, other than  
640 drug dependence;

641 (13) "Pre-dispositional study" means a comprehensive written report  
642 prepared by a juvenile probation officer pursuant to section 46b-134  
643 regarding the child's social, medical, mental health, educational, risks  
644 and needs, and family history, as well as the events surrounding the

645 offense to present a supported recommendation to the court;

646 (14) "Probation supervision" means a legal status whereby a juvenile  
647 who has been adjudicated delinquent is placed by the court under the  
648 supervision of juvenile probation for a specified period of time and  
649 upon such terms as the court determines;

650 (15) "Probation supervision with residential placement" means a legal  
651 status whereby a juvenile who has been adjudicated delinquent is  
652 placed by the court under the supervision of juvenile probation for a  
653 specified period of time, upon such terms as the court determines, that  
654 include a period of placement in a secure or staff-secure residential  
655 treatment facility, as ordered by the court, and a period of supervision  
656 in the community;

657 (16) "Risk and needs assessment" means a standardized tool that (A)  
658 assists juvenile probation officers in collecting and synthesizing  
659 information about a child to estimate the child's risk of recidivating and  
660 identify other factors that, if treated and changed, can reduce the child's  
661 likelihood of reoffending, and (B) provides a guide for intervention  
662 planning;

663 (17) "Secure-residential facility" means a hardware-secured  
664 residential facility that includes direct staff supervision, surveillance  
665 enhancements and physical barriers that allow for close supervision and  
666 controlled movement in a treatment setting; and

667 (18) "Staff-secure residential facility" means a residential facility that  
668 provides residential treatment for children in a structured setting where  
669 the children are monitored by staff.

670 Sec. 6. Subsection (b) of section 51-164n of the general statutes is  
671 repealed and the following is substituted in lieu thereof (*Effective January*  
672 *1, 2022*):

673 (b) Notwithstanding any provision of the general statutes, any person  
674 who is alleged to have committed (1) a violation under the provisions of

675 section 1-9, 1-10, 1-11, 4b-13, 7-13, 7-14, 7-35, 7-41, 7-83, 7-283, 7-325, 7-  
676 393, 8-12, 8-25, 8-27, 9-63, 9-322, 9-350, 10-193, 10-197, 10-198, 10-230, 10-  
677 251, 10-254, 12-52, 12-170aa, 12-292, 12-314b or 12-326g, subdivision (4)  
678 of section 12-408, subdivision (3), (5) or (6) of section 12-411, section 12-  
679 435c, 12-476a, 12-476b, 12-487, 13a-71, 13a-107, 13a-113, 13a-114, 13a-115,  
680 13a-117b, 13a-123, 13a-124, 13a-139, 13a-140, 13a-143b, 13a-247 or 13a-  
681 253, subsection (f) of section 13b-42, section 13b-90, 13b-221, 13b-292,  
682 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or 13b-410c, subsection  
683 (a), (b) or (c) of section 13b-412, section 13b-414, subsection (d) of section  
684 14-12, section 14-20a or 14-27a, subsection (f) of section 14-34a,  
685 subsection (d) of section 14-35, section 14-43, 14-49, 14-50a or 14-58,  
686 subsection (b) of section 14-66, section 14-66a or 14-67a, subsection (g)  
687 of section 14-80, subsection (f) of section 14-80h, section 14-97a, 14-100b,  
688 14-103a, 14-106a, 14-106c, 14-146, 14-152, 14-153 or 14-163b, a first  
689 violation as specified in subsection (f) of section 14-164i, section 14-219  
690 as specified in subsection (e) of said section, subdivision (1) of section  
691 14-223a, section 14-240, 14-250 or 14-253a, subsection (a) of section 14-  
692 261a, section 14-262, 14-264, 14-267a, 14-269, 14-270, 14-275a, 14-278 or  
693 14-279, subsection (e) or (h) of section 14-283, section 14-291, 14-293b, 14-  
694 296aa, 14-300, 14-300d, 14-319, 14-320, 14-321, 14-325a, 14-326, 14-330 or  
695 14-332a, subdivision (1), (2) or (3) of section 14-386a, section 15-25 or 15-  
696 33, subdivision (1) of section 15-97, subsection (a) of section 15-115,  
697 section 16-44, 16-256e, 16a-15 or 16a-22, subsection (a) or (b) of section  
698 16a-22h, section 17a-24, 17a-145, 17a-149, 17a-152, 17a-465, 17b-124, 17b-  
699 131, 17b-137, 19a-30, 19a-33, 19a-39 or 19a-87, subsection (b) of section  
700 19a-87a, section 19a-91, 19a-105, 19a-107, 19a-113, 19a-215, 19a-219, 19a-  
701 222, 19a-224, 19a-286, 19a-287, 19a-297, 19a-301, 19a-309, 19a-335, 19a-  
702 336, 19a-338, 19a-339, 19a-340, 19a-425, 19a-502, 20-7a, 20-14, 20-158, 20-  
703 231, 20-249, 20-257, 20-265, 20-324e, subsection (b) of section 20-334, 20-  
704 341l, 20-366, 20-597, 20-608, 20-610, 21-1, 21-38, 21-39, 21-43, 21-47, 21-48,  
705 21-63 or 21-76a, subsection (c) of section 21a-2, subdivision (1) of section  
706 21a-19, section 21a-21, subdivision (1) of subsection (b) of section 21a-  
707 25, section 21a-26 or 21a-30, subsection (a) of section 21a-37, section 21a-  
708 46, 21a-61, 21a-63 or 21a-77, subsection (b) of section 21a-79, section 21a-  
709 85 or 21a-154, subdivision (1) of subsection (a) of section 21a-159,

710 subsection [(a)] (c), (d) or (e) of section 21a-279a, as amended by this act,  
711 section 22-12b, 22-13, 22-14, 22-15, 22-16, 22-26g, 22-29, 22-34, 22-35, 22-  
712 36, 22-38, 22-39, 22-39a, 22-39b, 22-39c, 22-39d, 22-39e, 22-49 or 22-54,  
713 subsection (d) of section 22-84, section 22-89, 22-90, 22-98, 22-99, 22-100,  
714 22-111o, 22-167, 22-279, 22-280a, 22-318a, 22-320h, 22-324a, 22-326 or 22-  
715 342, subsection (b), (e) or (f) of section 22-344, section 22-359, 22-366, 22-  
716 391, 22-413, 22-414, 22-415, 22a-66a or 22a-246, subsection (a) of section  
717 22a-250, subsection (e) of section 22a-256h, section 22a-363 or 22a-381d,  
718 subsections (c) and (d) of section 22a-381e, section 22a-449, 22a-461, 23-  
719 38, 23-46 or 23-61b, subsection (a) or subdivision (1) of subsection (c) of  
720 section 23-65, section 25-37 or 25-40, subsection (a) of section 25-43,  
721 section 25-43d, 25-135, 26-18, 26-19, 26-21, 26-31, 26-40, 26-40a, 26-42, 26-  
722 49, 26-54, 26-55, 26-56, 26-58 or 26-59, subdivision (1) of subsection (d)  
723 of section 26-61, section 26-64, subdivision (1) of section 26-76, section  
724 26-79, 26-87, 26-89, 26-91, 26-94, 26-97, 26-98, 26-104, 26-105, 26-107, 26-  
725 117, 26-128, 26-131, 26-132, 26-138 or 26-141, subdivision (1) of section  
726 26-186, section 26-207, 26-215, 26-217 or 26-224a, subdivision (1) of  
727 section 26-226, section 26-227, 26-230, 26-232, 26-244, 26-257a, 26-260, 26-  
728 276, 26-284, 26-285, 26-286, 26-288, 26-294, 28-13, 29-6a, 29-25, 29-143o,  
729 29-143z or 29-156a, subsection (b), (d), (e) or (g) of section 29-161q,  
730 section 29-161y or 29-161z, subdivision (1) of section 29-198, section 29-  
731 210, 29-243 or 29-277, subsection (c) of section 29-291c, section 29-316,  
732 29-318, 29-381, 30-48a, 30-86a, 31-3, 31-10, 31-11, 31-12, 31-13, 31-14, 31-  
733 15, 31-16, 31-18, 31-23, 31-24, 31-25, 31-32, 31-36, 31-38, 31-40, 31-44, 31-  
734 47, 31-48, 31-51, 31-52, 31-52a or 31-54, subsection (a) or (c) of section 31-  
735 69, section 31-70, 31-74, 31-75, 31-76, 31-76a, 31-89b or 31-134, subsection  
736 (i) of section 31-273, section 31-288, subdivision (1) of section 35-20,  
737 section 36a-787, 42-230, 45a-283, 45a-450, 45a-634 or 45a-658, subdivision  
738 (13) or (14) of section 46a-54, section 46a-59, 46b-22, 46b-24, 46b-34, 47-  
739 34a, 47-47, 49-8a, 49-16, 53-133, 53-199, 53-212a, 53-249a, 53-252, 53-264,  
740 53-280, 53-302a, 53-303e, 53-311a, 53-321, 53-322, 53-323, 53-331 or 53-  
741 344, subsection (c) of section 53-344b, or section 53-450, or (2) a violation  
742 under the provisions of chapter 268, or (3) a violation of any regulation  
743 adopted in accordance with the provisions of section 12-484, 12-487 or  
744 13b-410, or (4) a violation of any ordinance, regulation or bylaw of any



town, city or borough, except violations of building codes and the health code, for which the penalty exceeds ninety dollars but does not exceed two hundred fifty dollars, unless such town, city or borough has established a payment and hearing procedure for such violation pursuant to section 7-152c, shall follow the procedures set forth in this section.

Sec. 7. (NEW) (*Effective January 1, 2022*) The provisions of subsections (b) to (e), inclusive, of section 21a-279a of the general statutes, as amended by this act, subsection (b) of section 21a-277 of the general statutes, as amended by this act, and sections 78 and 82 of this act shall not apply to any person (1) who in good faith, seeks medical assistance for another person who such person reasonably believes is experiencing medical distress from the use of cannabis, (2) for whom another person, in good faith, seeks medical assistance, reasonably believing such person is experiencing medical distress from the use of cannabis, or (3) who reasonably believes he or she is experiencing medical distress from the use of cannabis and, in good faith, seeks medical assistance for himself or herself, if evidence of the possession or control of cannabis in violation of such provisions was obtained as a result of the seeking of such medical assistance. For the purposes of this subsection, "good faith" does not include seeking medical assistance during the course of the execution of an arrest warrant or search warrant or a lawful search.

Sec. 8. Section 54-142d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2022*):

(a) Whenever any person has been convicted of an offense in any court in this state and such offense has been decriminalized subsequent to the date of such conviction, such person may file a petition with the [superior court] Superior Court at the location in which such conviction was effected, or with the [superior court] Superior Court at the location having custody of the records of such conviction or [with the records center of the Judicial Department] if such conviction was in the Court of Common Pleas, Circuit Court, municipal court or by a trial justice in the

777 Superior Court where venue would exist for criminal prosecution, for  
778 an order of erasure, and the Superior Court [or records center of the  
779 Judicial Department] shall direct all police and court records and  
780 records of the state's or prosecuting attorney pertaining to such [case]  
781 offense to be physically destroyed.

782 (b) (1) Any person who has been convicted in any court in this state  
783 (A) (i) on October 1, 2015, or thereafter, and prior to January 1, 2022, or  
784 (ii) prior to January 1, 2000, of a violation of section 21a-279, as amended  
785 by this act, for possession of a cannabis-type substance and the amount  
786 possessed was less than or equal to four ounces of such substance, (B)  
787 prior to January 1, 2022, of a violation of subsection (a) of section 21a-  
788 267, as amended by this act, for use or possession with intent to use of  
789 drug paraphernalia to store, contain or conceal, or to ingest, inhale or  
790 otherwise introduce into the human body cannabis, or (C) prior to  
791 January 1, 2022, of a violation of subsection (b) of section 21a-277, as  
792 amended by this act, for manufacturing, distributing, selling,  
793 prescribing, compounding, transporting with the intent to sell or  
794 dispense, possessing with the intent to sell or dispense, offering, giving  
795 or administering to another person a cannabis-type substance and the  
796 amount involved was less than or equal to four ounces or six plants  
797 grown inside such person's own residence for personal use may file a  
798 petition with the Superior Court at the location in which such conviction  
799 was effected, or with the Superior Court at the location having custody  
800 of the records of such conviction or if such conviction was in the Court  
801 of Common Pleas, Circuit Court, municipal court or by a trial justice, in  
802 the Superior Court where venue would currently exist for criminal  
803 prosecution, for an order of erasure.

804 (2) As part of such petition, such person shall include a copy of the  
805 arrest record or an affidavit supporting such person's petition that, in  
806 the case of a violation of section 21a-279, as amended by this act, such  
807 person possessed four ounces or less of a cannabis-type substance for  
808 which such person was convicted, in the case of a violation of subsection  
809 (a) of section 21a-267, as amended by this act, such person used or

810 possessed with intent to use such drug paraphernalia only to store,  
811 contain or conceal, or to ingest, inhale or otherwise introduce into the  
812 human body cannabis or in the case of a violation of subsection (b) of  
813 section 21a-277, as amended by this act, such person manufactured,  
814 distributed, sold, prescribed, compounded, transported with the intent  
815 to sell or dispense, possessed with the intent to sell or dispense, offered,  
816 gave or administered to another person less than or equal to four ounces  
817 of a cannabis-type substance or six cannabis plants grown inside such  
818 person's own residence for personal use.

819 (3) If such petition is in order, the Superior Court shall direct all police  
820 and court records and records of the state's or prosecuting attorney  
821 pertaining to such offense to be erased pursuant to the provisions of  
822 section 54-142a.

823 (4) No fee may be charged in any court with respect to any petition  
824 under this subsection.

825 (c) The provisions of this section shall not apply to any police or court  
826 records or records of the state's or prosecuting attorney pertaining to  
827 such offense (1) while the criminal case is pending, or (2) in instances  
828 where the case contains more than one count, until the records  
829 pertaining to all counts are entitled to destruction or erasure. If the  
830 records pertaining to all counts are not entitled to destruction, the court  
831 shall direct the records of any offenses that would otherwise be entitled  
832 to destruction pursuant to this section to be erased pursuant to section  
833 54-142a, as amended by this act.

834 (d) For the purposes of this section, "court records" shall not include  
835 a record or transcript of the proceedings made or prepared by an official  
836 court reporter, assistant court reporter or monitor.

837 Sec. 9. (NEW) (*Effective January 1, 2023*) (a) Whenever on or after  
838 January 1, 2000, but prior to October 1, 2015, any person has been  
839 convicted in any court of this state of possession under subsection (c) of  
840 section 21a-279 of the general statutes, as amended by this act, all police

841 and court records and records of the state's or prosecuting attorney  
842 pertaining to such a conviction in any court of this state shall be,  
843 pursuant to the provisions of section 54-142a of the general statutes, (1)  
844 erased, if such records are electronic records; or (2) deemed erased by  
845 operation of law, if such records are not electronic records.

846 (b) The provisions of this section shall not apply to any police or court  
847 records or the records of any state's attorney or prosecuting attorney  
848 with respect to any record referencing more than one count unless and  
849 until all counts are entitled to erasure in accordance with the provisions  
850 of this section, except that electronic records or portions of electronic  
851 records released to the public that reference a charge that would  
852 otherwise be entitled to erasure under this section shall be erased in  
853 accordance with the provisions of this section.

854 (c) Nothing in this section shall limit any other procedure for erasure  
855 of criminal history record information, as defined in section 54-142g of  
856 the general statutes, or prohibit a person from participating in any such  
857 procedure, even if such person's electronic criminal history record  
858 information has been erased pursuant to this section.

859 (d) For the purposes of this section, "electronic record" means any  
860 police or court record or record of any state's attorney or prosecuting  
861 attorney that is an electronic record, as defined in section 1-267 of the  
862 general statutes, other than a scanned copy of a physical document.

863 (e) For the purposes of this section, "court records" shall not include  
864 a record or transcript of the proceedings made or prepared by an official  
865 court reporter, assistant court reporter or monitor.

866 (f) Nothing in this section shall be construed to require the partial  
867 redaction of physical documents or scanned copies of such documents  
868 held internally by any criminal justice agency.

869 (g) Nothing in this section shall be construed to require the  
870 Department of Motor Vehicles to erase criminal history record

871 information on an operator's driving record. When applicable, the  
872 Department of Motor Vehicles shall make such criminal history record  
873 information available through the Commercial Driver's License  
874 Information System.

875 (h) A person whose records have been erased pursuant to this section  
876 may represent to any entity other than a criminal justice agency that  
877 they have not been arrested or convicted for the purposes of any such  
878 conviction for which such records have been erased.

879 Sec. 10. Section 54-142e of the general statutes is repealed and the  
880 following is substituted in lieu thereof (*Effective January 1, 2023*):

881 (a) Notwithstanding the provisions of subsection (e) of section 54-  
882 142a and section 54-142c, with respect to any person, including, but not  
883 limited to, a consumer reporting agency as defined in subsection (i) of  
884 section 31-51i, or a background screening provider or similar data-based  
885 service or company, that purchases criminal matters of public record, as  
886 defined in said subsection (i), from the Judicial Department or any  
887 criminal justice agency pursuant to subsection (b) of section 54-142g, the  
888 department shall make available to such person information concerning  
889 such criminal matters of public record that have been erased pursuant  
890 to section 54-142a, as amended by this act. Such information may  
891 include docket numbers or other information that permits the person to  
892 identify and permanently delete records that have been erased pursuant  
893 to section 54-142a, as amended by this act.

894 (b) Each person, including, but not limited to, a consumer reporting  
895 agency or background screening provider or similar data-based service  
896 or company, that has purchased records of criminal matters of public  
897 record from the Judicial Department or any criminal justice agency  
898 shall, prior to disclosing such records, (1) purchase from the Judicial  
899 Department or such criminal justice agency, on a monthly basis or on  
900 such other schedule as the Judicial Department or such criminal justice  
901 agency may establish, any updated criminal matters of public record or  
902 information available for the purpose of complying with this section,

903 and (2) update its records of criminal matters of public record to  
904 permanently delete such erased records not later than thirty calendar  
905 days after receipt of information on the erasure of criminal records  
906 pursuant to section 54-142a. Such person shall not further disclose such  
907 erased records.

908 Sec. 11. (NEW) (*Effective January 1, 2022*) Notwithstanding any  
909 provision of the general statutes, no cannabis establishment, cannabis  
910 employee, or backer of a cannabis establishment may be subject to arrest  
911 or prosecution, penalized in any manner, including, but not limited to,  
912 being subject to any civil penalty, or denied any right or privilege,  
913 including, but not limited to, being subject to any disciplinary action by  
914 a professional licensing board, for the acquisition, distribution,  
915 possession, use or transportation of cannabis or paraphernalia related to  
916 cannabis in his or her capacity as a cannabis establishment, cannabis  
917 employee, or backer so long as such person's activity is in accordance  
918 with the laws and regulations for such person's license or registration  
919 type set forth in RERACA.

920 Sec. 12. (NEW) (*Effective January 1, 2022*) Except when required by  
921 federal law, an agreement between the federal government and the  
922 state, or because of a substantial risk to public health or safety, no state  
923 entity shall deny a professional license because of an individual's: (1)  
924 Employment or affiliation with a cannabis establishment; (2) possession  
925 or use of cannabis that is legal under section 21a-279a of the general  
926 statutes, as amended by this act, or chapter 420f of the general statutes;  
927 or (3) cannabis use or possession conviction for an amount less than four  
928 ounces.

929 Sec. 13. (NEW) (*Effective January 1, 2022*) Any drug paraphernalia or  
930 other property relating to cannabis or cannabis product held by the  
931 Commissioner of Consumer Protection pursuant to section 21a-263 of  
932 the general statutes, a law enforcement agency, or court official that was  
933 seized from a consumer in connection with suspected possession or  
934 control of cannabis or cannabis product in violation of the provisions of

935 section 21a-279a of the general statutes, as amended by this act, shall be  
936 returned to the consumer immediately upon a determination that such  
937 consumer did not possess or have under his or her control cannabis or  
938 cannabis product in violation of section 21a-279a of the general statutes,  
939 as amended by this act, as evidenced by a decision not to prosecute or a  
940 dismissal of charges, an acquittal or any other final determination by a  
941 court that such consumer was not in violation of section 21a-279a of the  
942 general statutes, as amended by this act.

943 Sec. 14. (NEW) (*Effective January 1, 2022*) Any consumer may give  
944 cannabis or cannabis products to another consumer, without  
945 compensation, provided such consumer reasonably believes such other  
946 consumer may possess such cannabis or cannabis products without  
947 exceeding the possession limit pursuant to subsection (a) of section 21a-  
948 279a of the general statutes, as amended by this act.

949 Sec. 15. Subsection (b) of section 21a-277 of the general statutes is  
950 repealed and the following is substituted in lieu thereof (*Effective January*  
951 *1, 2022*):

952 (b) (1) No person may manufacture, distribute, sell, prescribe,  
953 dispense, compound, transport with the intent to sell or dispense,  
954 possess with the intent to sell or dispense, offer, give or administer to  
955 another person, except as authorized in this chapter or chapter 420f, any  
956 controlled substance other than a (A) narcotic substance, or (B)  
957 hallucinogenic substance.

958 (2) [Any] Except as provided in subdivision (3), (4) or (5) of this  
959 subsection, any person who violates subdivision (1) of this subsection  
960 (A) for a first offense, may be fined not more than twenty-five thousand  
961 dollars or imprisoned not more than seven years, or be both fined and  
962 imprisoned, and (B) for any subsequent offense, may be fined not more  
963 than one hundred thousand dollars or imprisoned not more than fifteen  
964 years, or be both fined and imprisoned.

965 (3) Any person who violates subdivision (1) of this subsection by

966 growing up to six cannabis plants in such person's own residence for  
 967 personal use (A) for a first offense, shall be fined not more than five  
 968 hundred dollars, and (B) for a second offense, shall be guilty of a class B  
 969 misdemeanor.

970 (4) Any person who violates subdivision (1) of this subsection by  
 971 growing up to six cannabis plants outside such person's own residence  
 972 for personal use (A) for a first offense, shall be guilty of a class A  
 973 misdemeanor, and (B) for a second offense, shall be guilty of a class E  
 974 felony.

975 (5) Any person who violates subdivision (1) of this subsection by  
 976 manufacturing, distributing, selling, prescribing, compounding,  
 977 transporting with the intent to sell or dispense, possessing with the  
 978 intent to sell or dispense, offering, giving or administering to another  
 979 person less than eight ounces of cannabis plant material, as defined in  
 980 section 21a-279a, as amended by this act, an equivalent amount of  
 981 cannabis product or a combination of cannabis and cannabis product, as  
 982 provided in subsection (h) of section 21a-279a, as amended by this act,  
 983 (A) for a first offense, shall be fined not more than five hundred dollars,  
 984 and (B) for a second offense, shall be guilty of a class C misdemeanor.

985 (6) For purposes of this subsection, "cannabis" and "cannabis  
 986 product" have the same meanings as provided in section 1 of this act.

987 Sec. 16. (NEW) (*Effective January 1, 2022*) (a) Except as provided in  
 988 subsection (b) of this section, use or possession of cannabis by a person  
 989 that does not violate section 21a-279a of the general statutes, as  
 990 amended by this act, or chapter 420f of the general statutes shall not be  
 991 grounds for revocation of such person's parole, special parole or  
 992 probation.

993 (b) If a person's conditions of parole, special parole or probation  
 994 include an individualized finding that use of cannabis would pose a  
 995 danger to such person or to the public and a condition that such person  
 996 not use cannabis, use of cannabis may be grounds for revocation of



997 parole, special parole or probation.

998 Sec. 17. Subsection (c) of section 54-63d of the general statutes is  
999 repealed and the following is substituted in lieu thereof (*Effective January*  
1000 *1, 2022*):

1001 (c) In addition to or in conjunction with any of the conditions  
1002 enumerated in subdivisions (1) to (4), inclusive, of subsection (a) of this  
1003 section, the bail commissioner or intake, assessment and referral  
1004 specialist may impose nonfinancial conditions of release, which may  
1005 require that the arrested person do any of the following: (1) Remain  
1006 under the supervision of a designated person or organization; (2)  
1007 comply with specified restrictions on the person's travel, association or  
1008 place of abode; (3) not engage in specified activities, including the use  
1009 or possession of a dangerous weapon, or the unlawful use or possession  
1010 of an intoxicant or controlled substance; (4) not use classes of intoxicants  
1011 or controlled substances, if such bail commissioner makes an  
1012 individualized finding that use of such classes of intoxicants or  
1013 controlled substances would pose a danger to the arrested person or to  
1014 the public. Such individualized finding shall not consider any prior  
1015 arrests or convictions for use or possession of cannabis; (5) avoid all  
1016 contact with an alleged victim of the crime and with a potential witness  
1017 who may testify concerning the offense; or [(5)] (6) satisfy any other  
1018 condition that is reasonably necessary to ensure the appearance of the  
1019 person in court. Any of the conditions imposed under subsection (a) of  
1020 this section and this subsection by the bail commissioner or intake,  
1021 assessment and referral specialist shall be effective until the appearance  
1022 of such person in court.

1023 Sec. 18. (NEW) (*Effective January 1, 2022*) (a) Except as provided in  
1024 subsection (c) of this section, the existence of any of the following  
1025 circumstances shall not constitute in part or in whole probable cause or  
1026 reasonable suspicion and shall not be used as a basis to support any stop  
1027 or search of a person or motor vehicle:

1028 (1) The odor of cannabis or burnt cannabis;

1029 (2) The possession of or the suspicion of possession of cannabis or a  
1030 cannabis product without evidence that the quantity of cannabis or  
1031 cannabis product is or suspected to be in excess of four ounces of  
1032 cannabis plant material, as defined in section 21a-279a of the general  
1033 statutes, as amended by this act, an equivalent amount of cannabis  
1034 product or a combination of cannabis and cannabis product, as  
1035 provided in subsection (h) of section 21a-279a of the general statutes, as  
1036 amended by this act; or

1037 (3) The presence of cash or currency in proximity to cannabis or a  
1038 cannabis product without evidence that such cash or currency exceeds  
1039 five hundred dollars.

1040 (b) Any evidence discovered as a result of any stop or search  
1041 conducted in violation of this section shall not be admissible in evidence  
1042 in any trial, hearing or other proceeding in a court of this state.

1043 (c) A law enforcement official may conduct a test for impairment  
1044 based on the odor of cannabis or burnt cannabis if such official  
1045 reasonably suspects the operator or a passenger of a motor vehicle of  
1046 violating section 14-227, as amended by this act, 14-227a, as amended by  
1047 this act, 14-227m or 14-227n of the general statutes.

1048 Sec. 19. Subsection (d) of section 10-221 of the general statutes is  
1049 repealed and the following is substituted in lieu thereof (*Effective October*  
1050 *1, 2021*):

1051 (d) Not later than July 1, 1991, each local and regional board of  
1052 education shall develop, adopt and implement policies and procedures  
1053 in conformity with section 10-154a for (1) dealing with the use, sale or  
1054 possession of alcohol or controlled drugs, as defined in subdivision (8)  
1055 of section 21a-240, by public school students on school property,  
1056 including a process for coordination with, and referral of such students  
1057 to, appropriate agencies, and (2) cooperating with law enforcement  
1058 officials. On and after January 1, 2022, no such policies and procedures  
1059 shall result in a student facing greater discipline, punishment or

1060 sanction for use, sale or possession of cannabis or cannabis products  
1061 than a student would face for the use, sale or possession of alcohol.

1062 Sec. 20. (NEW) (*Effective October 1, 2021*) Any person who knowingly  
1063 or recklessly provides cannabis or a cannabis product, as defined in  
1064 section 1 of this act, to a domesticated animal, shall be guilty of a class  
1065 C misdemeanor.

1066 Sec. 21. (NEW) (*Effective from passage*) There is established a Cannabis  
1067 Control Commission composed of three commissioners, two of whom  
1068 shall be appointed by the Governor in accordance with section 4-9a of  
1069 the general statutes, and one of whom shall be the Commissioner of  
1070 Consumer Protection. The Commissioner of Consumer Protection shall  
1071 serve as the chairperson of the commission. The Governor shall fill any  
1072 vacancy for the unexpired portion of the term. Not more than two  
1073 commissioners shall be of the same political party. Each commissioner  
1074 shall take the oath prescribed for executive officers. The Governor may  
1075 remove any commissioner as provided in section 4-12 of the general  
1076 statutes. The commission shall establish guidelines for the issuance by  
1077 the department of licenses as a retailer, hybrid retailer, cultivator, micro-  
1078 cultivator, product manufacturer, food and beverage manufacturer,  
1079 product packager and delivery service license.

1080 Sec. 22. (NEW) (*Effective from passage*) (a) There is established a Social  
1081 Equity Council, which shall be administered by the Cannabis Control  
1082 Commission established under section 21 of this act.

1083 (b) The council shall consist of thirteen members appointed as  
1084 follows:

1085 (1) One appointed by the speaker of the House of Representatives,  
1086 who has a professional background of not less than five years working  
1087 in the field of either social justice or civil rights;

1088 (2) One appointed by the president pro tempore of the Senate, who  
1089 has a professional background of not less than five years working in the

1090 field of either social justice or civil rights;

1091 (3) One appointed by the majority leader of the House of  
1092 Representatives, who has a professional background of not less than five  
1093 years working in the field of economic development to help minority-  
1094 owned businesses;

1095 (4) One appointed by the majority leader of the Senate, who has a  
1096 professional background of not less than five years in providing access  
1097 to capital to minorities, as defined in section 32-9n of the general  
1098 statutes;

1099 (5) One appointed by the minority leader of the House of  
1100 Representatives, who has a professional background of not less than five  
1101 years working in the field of economic development;

1102 (6) One appointed by the minority leader of the Senate, who has a  
1103 professional background of not less than five years in providing access  
1104 to capital to minorities, as defined in section 32-9n of the general  
1105 statutes;

1106 (7) One appointed by the Black and Puerto Rican Caucus of the  
1107 General Assembly;

1108 (8) Two appointed by the Governor, who are from communities that  
1109 have been disproportionately harmed by cannabis prohibition and  
1110 enforcement;

1111 (9) The Commissioner of Consumer Protection, or the commissioner's  
1112 designee;

1113 (10) The Commissioner of Economic and Community Development,  
1114 or the commissioner's designee;

1115 (11) The Commissioner of Revenue Services, or the commissioner's  
1116 designee; and

1117 (12) The Secretary of the Office of Policy and Management, or the

1118 secretary's designee.

1119 (c) In making the appointments in subsection (b) of this section, the  
1120 appointing authority shall use his or her best efforts to make  
1121 appointments that reflect the racial, gender and geographic diversity of  
1122 the population of the state. All appointments shall be made not later  
1123 than thirty days after the effective date of this section and the Governor  
1124 shall appoint the chairperson of the council from among the members  
1125 of the council. Members appointed by the Governor shall serve a term  
1126 of four years from the time of appointment and members appointed by  
1127 any other appointing authority shall serve a term of three years from the  
1128 time of appointment. The appointing authority shall fill any vacancy for  
1129 the unexpired term.

1130 (d) A majority of the members of the council shall constitute a  
1131 quorum for the transaction of any business.

1132 (e) The members of the council shall serve without compensation, but  
1133 shall, within available appropriations, be reimbursed for expenses  
1134 necessarily incurred in the performance of their duties.

1135 (f) The council shall promote and encourage full participation in the  
1136 cannabis industry by persons from communities that have been  
1137 disproportionately harmed by cannabis prohibition and enforcement.

1138 (g) Not later than forty-five days after the effective date of this  
1139 section, the council shall establish criteria for proposals to conduct a  
1140 study under this section and the Secretary of the Office of Policy and  
1141 Management shall post on the State Contracting Portal a request for  
1142 proposals to conduct a study, and shall select an independent third  
1143 party to conduct such study and provide detailed findings of fact  
1144 regarding the following matters in the state:

1145 (1) Historical and present-day social, economic and familial  
1146 consequences of cannabis prohibition, the criminalization and  
1147 stigmatization of cannabis use and related public policies;

1148       (2) Historical and present-day structures, patterns, causes and  
1149 consequences of intentional and unintentional racial discrimination and  
1150 racial disparities in the development, application and enforcement of  
1151 cannabis prohibition and related public policies;

1152       (3) Foreseeable long-term social, economic and familial consequences  
1153 of unremedied past racial discrimination and disparities arising from  
1154 past and continued cannabis prohibition, stigmatization and  
1155 criminalization;

1156       (4) Existing patterns of racial discrimination and racial disparities in  
1157 access to entrepreneurship, employment and other economic benefits  
1158 arising in the lawful palliative use cannabis sector as established  
1159 pursuant to chapter 420f of the general statutes; and

1160       (5) Any other matters that the council deems relevant and feasible for  
1161 study for the purpose of making reasonable and practical  
1162 recommendations for the establishment of an equitable and lawful  
1163 adult-use cannabis business sector in this state.

1164       (h) Not later than November 15, 2021, the council shall, taking into  
1165 account the results of the study conducted in accordance with  
1166 subsection (g) of this section, make written recommendations, in  
1167 accordance with the provisions of section 11-4a of the general statutes,  
1168 to the Governor and the joint standing committees of the General  
1169 Assembly having cognizance of matters relating to finance, revenue and  
1170 bonding, consumer protection and the judiciary regarding legislation to  
1171 implement the provisions of this section. The council shall make  
1172 recommendations regarding:

1173       (1) Creating programs to ensure that individuals from communities  
1174 that have been disproportionately harmed by cannabis prohibition and  
1175 enforcement are provided equal access to licenses for cannabis  
1176 establishments;

1177       (2) Specifying additional qualifications for social equity applicants;

1178 (3) Providing for expedited or priority license processing for each  
1179 license as a retailer, hybrid retailer, cultivator, micro-cultivator, product  
1180 manufacturer, food and beverage manufacturer, product packager and  
1181 delivery service license for social equity applicants;

1182 (4) Establishing minimum criteria for any cannabis establishment  
1183 licensed on or after January 1, 2022, that is not owned by a social equity  
1184 applicant, to comply with an approved plan to reinvest or provide  
1185 employment and training opportunities for individuals in  
1186 disproportionately affected communities;

1187 (5) Recruiting individuals from communities that have been  
1188 disproportionately harmed by cannabis prohibition and enforcement to  
1189 enroll in the workforce training program established pursuant to section  
1190 39 of this act;

1191 (6) Developing an objective scoring system for evaluating final  
1192 license applications to ensure cannabis establishments are furthering  
1193 equity;

1194 (7) Potential uses for revenue generated under RERACA to further  
1195 equity;

1196 (8) Encouraging participation of investors, cannabis establishments,  
1197 and entrepreneurs in the cannabis business accelerator program  
1198 established pursuant to section 38 of this act;

1199 (9) Establishing a process to best ensure that social equity applicants  
1200 have access to the capital and training needed to own and operate a  
1201 cannabis establishment; and

1202 (10) Developing a vendor list of women-owned and minority-owned  
1203 businesses that cannabis establishments may contract with for necessary  
1204 services, including, but not limited to, office supplies, information  
1205 technology infrastructure and cleaning services.

1206 Sec. 23. (*Effective from passage*) Not later than October 1, 2023, the

1207 Social Equity Council established pursuant to section 22 of this act shall  
1208 report to the Governor and the joint standing committee of the General  
1209 Assembly having cognizance of matters relating to the judiciary, (1) data  
1210 on any arrest or conviction for possession of cannabis pursuant to  
1211 sections 21a-277 and 21a-279a of the general statutes, as amended by this  
1212 act, and (2) a breakdown of such arrests or convictions by town, race,  
1213 gender, and age.

1214       Sec. 24. (NEW) (*Effective July 1, 2021*) (a) Any person shall be twenty-  
1215 one years of age or older to: (1) Hold any cannabis establishment license  
1216 issued pursuant to RERACA; or (2) be a backer or key employee of a  
1217 cannabis establishment that is licensed pursuant to RERACA.

1218       (b) Any person shall be eighteen years of age or older to (1) be an  
1219 employee of a cannabis establishment that is licensed pursuant to  
1220 RERACA; or (2) be employed by a cannabis establishment or a licensee  
1221 pursuant to chapter 420f of the general statutes.

1222       (c) All employees of a cannabis establishment shall obtain a  
1223 registration and all key employees and backers of a cannabis  
1224 establishment shall obtain a license from the department, , on a form  
1225 and in a manner prescribed by the commissioner, except for (1) delivery  
1226 service employees who do not (A) engage in the transport, storage or  
1227 distribution of, or have access to, cannabis and cannabis products, and  
1228 (B) engage in security controls or contract management with other  
1229 cannabis establishments; (2) product packager employees who do not  
1230 (A) have access to cannabis or cannabis products, or (B) engage in  
1231 physical packaging, security controls or contract management with  
1232 other cannabis establishments; and (3) other employee categories, as  
1233 determined by the commissioner, provided in no circumstance shall a  
1234 key employee be exempt from the licensure requirements of this section.

1235       Sec. 25. (NEW) (*Effective July 1, 2021*) (a) No agency or political  
1236 subdivision of the state may rely on a violation of federal law related to  
1237 cannabis as the sole basis for taking an adverse action against a person.



1238 (b) It is the public policy of this state that contracts related to the  
1239 operation of a cannabis establishment are enforceable.

1240 (c) It is the public policy of this state that no contract entered into by  
1241 a licensed cannabis establishment or its agents as authorized in  
1242 accordance with a valid license, or by those who allow property to be  
1243 used by a cannabis establishment, its employees, or its agents as  
1244 authorized in accordance with a valid license, shall be unenforceable on  
1245 the basis that cultivating, obtaining, manufacturing, distributing,  
1246 dispensing, transporting, selling, possessing or using cannabis is  
1247 prohibited by federal law.

1248 (d) No law enforcement officer employed by an agency that receives  
1249 state or local government funds shall expend state or local resources,  
1250 including the officer's time, to effect any arrest or seizure of cannabis, or  
1251 conduct any investigation, on the sole basis of activity the officer  
1252 believes to constitute a violation of federal law if the officer has reason  
1253 to believe that such activity is in compliance with sections 20 to 65,  
1254 inclusive, of this act, or chapter 420f of the general statutes.

1255 (e) An officer may not expend state or local resources, including the  
1256 officer's time, to provide any information or logistical support to any  
1257 federal law enforcement authority or prosecuting entity related to  
1258 activity the officer believes to constitute a violation of federal law if the  
1259 officer has reason to believe that such activity is in compliance with the  
1260 provisions of sections 20 to 65, inclusive, of this act, or chapter 420f of  
1261 the general statutes.

1262 Sec. 26. (NEW) (*Effective July 1, 2021*) (a) In addition to activity  
1263 permitted under chapter 420f of the general statutes, a producer may  
1264 expand its license and be authorized to sell, deliver, transfer or transport  
1265 cannabis or cannabis products utilizing a delivery service or the  
1266 producer's own employees, to cannabis establishments, upon  
1267 authorization for such expanded activity in writing by the  
1268 commissioner, provided a producer may not transport any cannabis or  
1269 cannabis products to consumers, patients or caregivers directly or

1270 through a delivery service. Such authorization may be granted only  
1271 after (1) receipt by the department of a complete license expansion  
1272 application on a form prescribed by the commissioner, (2) submission  
1273 to, and approval by, the department of a medical cannabis preservation  
1274 plan to ensure against supply shortages of medical marijuana products,  
1275 and (3) payment of a fee pursuant to subdivision (13) of subsection (b)  
1276 of section 34 of this act.

1277 (b) Except as provided in RERACA and chapter 420b or 420f of the  
1278 general statutes, (1) no person, other than a retailer, hybrid retailer,  
1279 micro-cultivator or delivery service, or an employee thereof in the  
1280 course of his or her employment, may deliver, sell or offer cannabis or  
1281 cannabis products to a consumer, and (2) no person, other than a hybrid  
1282 retailer, dispensary facility, or a delivery service, or an employee thereof  
1283 in the course of his or her employment, may deliver, sell or offer  
1284 cannabis or cannabis products to qualifying patients and caregivers.

1285 Sec. 27. (NEW) (*Effective July 1, 2021*) No cannabis or cannabis product  
1286 shall be sold from, obtained from or transferred to, a location outside of  
1287 this state by a cannabis establishment if such activity would be in  
1288 violation of federal law.

1289 Sec. 28. (NEW) (*Effective July 1, 2021*) (a) No cannabis retailer or  
1290 hybrid retailer shall accept payment or other form of compensation from  
1291 a cultivator, micro-cultivator, producer, food and beverage  
1292 manufacturer or product manufacturer to carry a cannabis product or  
1293 for placement or promotion of such product in a retailer or hybrid  
1294 retailer's location. No retailer or hybrid retailer shall enter into a contract  
1295 with a cultivator, micro-cultivator, producer, food and beverage  
1296 manufacturer or product manufacturer that requires exclusivity or near  
1297 exclusivity or limits a retailer or hybrid retailer from purchasing from  
1298 other cultivators, micro-cultivators, producers, food and beverage  
1299 manufacturers or product manufacturers in any way.

1300 (b) No cannabis establishment shall produce, manufacture or sell  
1301 cannabis or cannabis products that are intended for use or consumption

1302 by animals.

1303 (c) A retailer or hybrid retailer shall not knowingly sell to a consumer  
1304 more than one ounce of cannabis or the equivalent amount of cannabis  
1305 product or combination of cannabis and cannabis product, as set forth  
1306 in subsection (h) of section 21a-279a of the general statutes, as amended  
1307 by this act, except that a hybrid retailer or dispensary facility may sell  
1308 up to five ounces of cannabis or cannabis product to a qualifying patient  
1309 or caregiver per day. Notwithstanding the requirements of sections 4-  
1310 168 to 4-172, inclusive, of the general statutes, to avoid cannabis supply  
1311 shortages or address a public health and safety concern, the  
1312 commissioner may set temporary lower per-transaction limits, which  
1313 shall be published on the department's Internet web site. Such limits  
1314 shall become ineffective upon the earlier of the expiration of six months  
1315 from publication or upon the commissioner's determination that a  
1316 supply shortage or public health and safety concern no longer exists.

1317 (d) No cannabis establishment, except a producer, cultivator or  
1318 micro-cultivator, may acquire or possess a live cannabis plant.

1319 (e) No person issued a license or registration pursuant to RERACA  
1320 shall assign or transfer such license or registration without the  
1321 commissioner's prior approval.

1322 Sec. 29. (NEW) (*Effective July 1, 2021*) (a) Each employee of a cannabis  
1323 establishment, other than a key employee, shall annually apply for and  
1324 obtain a registration, on a form and in a manner prescribed by the  
1325 commissioner, prior to commencing employment at the cannabis  
1326 establishment.

1327 (b) No person shall act as a backer or key employee, or represent that  
1328 such person is a backer or key employee, unless such person has  
1329 obtained a license from the department pursuant to this subsection.  
1330 Such person shall apply for a license on a form and in a manner  
1331 prescribed by the commissioner. Such form may require the applicant  
1332 to: (1) Submit to a state and national criminal history records check

1333 conducted in accordance with section 29-17a of the general statutes,  
1334 which may include a financial history check if requested by the  
1335 commissioner, to determine the character and fitness of the applicant for  
1336 the license, (2) provide information sufficient for the department to  
1337 assess whether the applicant has an ownership interest in any other  
1338 cannabis establishment, cannabis establishment applicant or cannabis-  
1339 related business nationally or internationally, and (3) obtain such other  
1340 information as the department determines is consistent with the  
1341 requirements of RERACA or chapter 420f of the general statutes. A  
1342 backer or key employee shall be denied a license in the event his or her  
1343 background check reveals a disqualifying conviction.

1344 (c) Any person who receives a cannabis establishment, backer or key  
1345 employee license or employee registration issued pursuant to this  
1346 section shall notify the department, in writing, of any changes to the  
1347 information supplied on the application for such license or registration  
1348 not later than five business days after such change.

1349 Sec. 30. (NEW) (*Effective July 1, 2021*) (a) On and after July 1, 2021, the  
1350 commissioner shall require each applicant for an initial backer or key  
1351 employee license under section 29 of this act to submit to fingerprint-  
1352 based state and national criminal history records checks before such  
1353 license is issued. The criminal history records checks required pursuant  
1354 to this subsection shall be conducted in accordance with section 29-17a  
1355 of the general statutes. Upon renewal, the commissioner may require a  
1356 backer or key employee to be fingerprinted and submit to a state and  
1357 national criminal history records check conducted in accordance with  
1358 section 29-17a of the general statutes before such renewal license is  
1359 issued.

1360 (b) The department shall charge the applicant a fee equal to the  
1361 amount charged to the department to conduct a state and national  
1362 criminal history records check.

1363 Sec. 31. (NEW) (*Effective July 1, 2021*) Notwithstanding the provisions  
1364 of section 30 of this act, rather than submitting to a fingerprint-based

1365 national criminal history records check, the commissioner may accept  
1366 the submission by the applicant for an initial backer or key employee  
1367 license of a third-party local and national criminal background check  
1368 that includes a multistate and multi-jurisdiction criminal record locator  
1369 or other similar commercial nationwide database with validation, and  
1370 other such background screening as the commissioner may require. Any  
1371 such third-party background check shall be conducted by a third-party  
1372 consumer reporting agency or background screening company that is in  
1373 compliance with the federal Fair Credit Reporting Act and accredited  
1374 by the Professional Background Screening Association.

1375       Sec. 32. (NEW) (*Effective from passage*) The commissioner shall adopt  
1376 regulations in accordance with chapter 54 of the general statutes to  
1377 implement the provisions of RERACA. Notwithstanding the  
1378 requirements of sections 4-168 to 4-172, inclusive, of the general statutes,  
1379 in order to effectuate the purposes of RERACA and protect public health  
1380 and safety, prior to adopting such regulations the commissioner shall  
1381 issue policies and procedures to implement the provisions of RERACA  
1382 that shall have the force and effect of law. The commissioner shall post  
1383 all policies and procedures on the department's Internet web site and  
1384 submit such policies and procedures to the Secretary of the State for  
1385 posting on the eRegulations system, at least fifteen days prior to the  
1386 effective date of any policy or procedure. Any such policy or procedure  
1387 shall no longer be effective upon the earlier of either the adoption of the  
1388 policy or procedure as a final regulation under section 4-172 of the  
1389 general statutes or forty-eight months from the effective date of this  
1390 section, if such regulations have not been submitted to the legislative  
1391 regulation review committee for consideration under section 4-170 of  
1392 the general statutes. The commissioner shall issue policies and  
1393 procedures and thereafter final regulations that include, but are not  
1394 limited to, the following:

1395       (1) Setting appropriate dosage, potency, concentration and serving  
1396 size limits and delineation requirements for cannabis and cannabis  
1397 products, provided that a standardized serving of edible cannabis

1398 product or beverage shall contain not more than five milligrams of THC;

1399 (2) Requiring that each single standardized serving of cannabis  
1400 product in a multiple-serving edible product or beverage is physically  
1401 demarked in a way that enables a reasonable person to determine how  
1402 much of the product constitutes a single serving and a maximum  
1403 amount of THC per multiple-serving edible cannabis product or  
1404 beverage;

1405 (3) Requiring that, if it is impracticable to clearly demark every  
1406 standardized serving of cannabis product or to make each standardized  
1407 serving easily separable in an edible cannabis product or beverage, the  
1408 product shall contain not more than five milligrams of THC per unit of  
1409 sale;

1410 (4) Establishing, in consultation with the Department of Mental  
1411 Health and Addiction Services, consumer health materials that shall be  
1412 posted or distributed, as specified by the commissioner, by cannabis  
1413 establishments to maximize dissemination to cannabis consumers.  
1414 Consumer health materials may include pamphlets, packaging inserts,  
1415 signage, online advertisements and advisories and printed health  
1416 materials and shall be provided to all consumers under the age of  
1417 twenty-five upon purchase;

1418 (5) Imposing labeling and packaging requirements for cannabis and  
1419 cannabis products sold by a cannabis establishment that include, but are  
1420 not limited to, the following:

1421 (A) A universal symbol to indicate that cannabis or a cannabis  
1422 product contains cannabis, and prescribe how such product and  
1423 product packaging shall utilize and exhibit such symbol;

1424 (B) A disclosure concerning the length of time it typically takes for  
1425 the cannabis or cannabis product to affect an individual, including that  
1426 certain forms of cannabis or cannabis products take longer to have an  
1427 effect;

1428 (C) A notation of the amount of cannabis the cannabis product is  
1429 considered the equivalent to;

1430 (D) A list of ingredients and all additives for cannabis and cannabis  
1431 products;

1432 (E) Child-resistant packaging;

1433 (F) Product tracking information sufficient to determine where and  
1434 when the cannabis was grown and manufactured such that a product  
1435 recall could be effectuated;

1436 (G) A net weight statement;

1437 (H) A recommended use by or expiration date; and

1438 (I) Standard and uniform packaging and labeling, including, but not  
1439 limited to, (i) requirements regarding branding or logos, and (ii)  
1440 requirements that all packaging is opaque;

1441 (6) Establishing laboratory testing standards;

1442 (7) Restricting forms of cannabis products and cannabis product  
1443 delivery systems to ensure consumer safety and deter public health  
1444 concerns;

1445 (8) Prohibiting any added flavoring to certain cannabis products,  
1446 including, but not limited to, any cannabis product that is combusted,  
1447 aerosolized, or vaporized;

1448 (9) Prohibiting cannabis product types that appeal to children;

1449 (10) Establishing physical and cyber security requirements related to  
1450 build out, monitoring and protocols for cannabis establishments as a  
1451 requirement for licensure;

1452 (11) Placing temporary limits on the sale of cannabis and cannabis  
1453 products in the adult-use market, if deemed appropriate and necessary

1454 by the commissioner, in response to a shortage of cannabis and cannabis  
1455 products for qualifying patients; and

1456 (12) Requiring retailers and hybrid retailers to make best efforts to  
1457 provide access to (A) low-dose THC products, including products that  
1458 have one milligram and two and a half milligrams of THC per dose, and  
1459 (B) high-dose CBD products; and

1460 (13) Requiring producers, cultivators, micro-cultivators, product  
1461 manufacturers and food and beverage manufacturers to register brand  
1462 names for cannabis and cannabis products, in accordance with the  
1463 policies and procedures and subject to the fee set forth in, regulations  
1464 adopted under chapter 420f of the general statutes.

1465 Sec. 33. (NEW) (*Effective January 1, 2022*) (a) Cannabis establishments  
1466 shall not:

1467 (1) Advertise cannabis or cannabis products and cannabis  
1468 paraphernalia in ways that target or are designed to appeal to  
1469 individuals under the legal age to purchase cannabis or cannabis  
1470 products, including, but not limited to, spokespersons or celebrities who  
1471 appeal to individuals under the legal age to purchase cannabis or  
1472 cannabis products, depictions of a person under twenty-one years of age  
1473 consuming cannabis or cannabis products, or, the inclusion of objects,  
1474 such as toys, characters or cartoon characters suggesting the presence of  
1475 a person under twenty-one years of age, or any other depiction designed  
1476 in any manner to be appealing to a person under twenty-one years of  
1477 age;

1478 (2) Engage in advertising unless the advertiser has reliable evidence  
1479 that at least ninety per cent of the audience for the advertisement is  
1480 reasonably expected to be twenty-one years of age or older;

1481 (3) Engage in advertising or marketing directed toward location-  
1482 based devices, including, but not limited to, cellular phones, unless the  
1483 marketing is a mobile device application installed on the device by the  
1484 owner of the device who is twenty-one years of age or older and



1485 includes a permanent and easy opt-out feature and warnings that the  
1486 use of cannabis and cannabis products is restricted to persons twenty-  
1487 one years of age or older;

1488 (4) Advertise cannabis or cannabis products in a manner that  
1489 represents that such products have curative or therapeutic effects, make  
1490 medical claims or promote cannabis for a wellness purpose unless such  
1491 claims are substantiated as set forth in regulations adopted under  
1492 chapter 420f of the general statutes or verbally conveyed by a licensed  
1493 pharmacist in the course of business in a hybrid retail or dispensary  
1494 facility;

1495 (5) Sponsor charitable, sports, musical, artistic, cultural, social or  
1496 other similar events or advertising at, or in connection with, such an  
1497 event unless the sponsor or advertiser has reliable evidence that not  
1498 more than ten per cent of the (A) in-person audience at the event is  
1499 reasonably expected to be under the legal age to purchase cannabis or  
1500 cannabis products, and (B) audience that will watch, listen or participate  
1501 in the event is expected to be under the legal age to purchase cannabis  
1502 products;

1503 (6) Advertise cannabis, cannabis products or cannabis paraphernalia  
1504 in any physical form visible to the public within five hundred feet of an  
1505 elementary or secondary school grounds;

1506 (7) Cultivate cannabis or manufacture cannabis products for  
1507 distribution outside of this state in violation of federal law; or

1508 (8) Exhibit within or upon the outside of the cannabis establishment,  
1509 or include in any advertisement the words "drug store", "pharmacy",  
1510 "apothecary", "drug", "drugs" or "medicine shop" or any combination of  
1511 such terms or any other words, displays or symbols indicating that such  
1512 store, shop or place of business is a pharmacy.

1513 (b) Any advertisements from a cannabis establishment shall contain  
1514 the following warning: "Do not use cannabis if you are under twenty-  
1515 one years of age. Keep cannabis out of the reach of children." In a print

1516 or visual medium, such warning shall be easily legible and shall take up  
1517 not less than ten per cent of the advertisement space. In an audio  
1518 medium, such warning shall be at the same speed as the rest of the  
1519 advertisement and be easily intelligible.

1520 (c) The department shall not register any cannabis brand name that:

1521 (1) Is identical to, or confusingly similar to, the name of an existing  
1522 non-cannabis product;

1523 (2) Is identical to, or confusingly similar to, the name of an unlawful  
1524 product or substance;

1525 (3) Is confusingly similar to the name of a previously approved  
1526 cannabis brand name;

1527 (4) Is obscene or indecent; and

1528 (5) Is customarily associated with persons under the age of twenty-  
1529 one.

1530 Sec. 34. (NEW) (*Effective July 1, 2021*) (a) On and after July 1, 2021, the  
1531 department may accept applications from (1) social equity applicants for  
1532 the following cannabis establishment license types: (A) Retailer, (B)  
1533 hybrid retailer, (C) cultivator, (D) micro-cultivator, (E) product  
1534 manufacturer, (F) food and beverage manufacturer, (G) product  
1535 packager, and (H) delivery service, and (2) dispensary facilities to  
1536 convert their license to hybrid-retailer licenses and producers for  
1537 authorization to expand their licenses to engage in the adult use  
1538 cannabis market. On and after January 1, 2024, the department may  
1539 accept applications from any person for a cannabis establishment  
1540 license.

1541 (b) Except as provided in subsection (d) of this section, the following  
1542 fees shall be paid by each applicant:

1543 (1) For a retailer license, the fee to enter the lottery shall be five

1544 hundred dollars, the fee to receive a provisional license shall be five  
1545 thousand dollars and the fee to receive a final license shall be twenty-  
1546 five thousand dollars.

1547 (2) For a hybrid retailer license, the fee to enter the lottery shall be five  
1548 hundred dollars, the fee to receive a provisional license shall be five  
1549 thousand dollars and the fee to receive a final license shall be twenty-  
1550 five thousand dollars.

1551 (3) For a cultivator license, the fee to enter the lottery shall be one  
1552 thousand dollars, the fee to receive a provisional license shall be twenty-  
1553 five thousand dollars and the fee to receive a final license shall be  
1554 seventy-five thousand dollars.

1555 (4) For a micro-cultivator license, the fee to enter the lottery shall be  
1556 two hundred fifty dollars, the fee to receive a provisional license shall  
1557 be five hundred dollars and the fee to receive a final license shall be one  
1558 thousand dollars.

1559 (5) For a product manufacturer license, the fee to enter the lottery  
1560 shall be seven hundred fifty dollars, the fee to receive a provisional  
1561 license shall be five thousand dollars and the fee to receive a final license  
1562 shall be twenty-five thousand dollars.

1563 (6) For a food and beverage manufacturer license, the fee to enter the  
1564 lottery shall be two hundred fifty dollars, the fee to receive a provisional  
1565 license shall be one thousand dollars and the fee to receive a final license  
1566 shall be five thousand dollars.

1567 (7) For a product packager license, the fee to enter the lottery shall be  
1568 five hundred dollars, the fee to receive a provisional license shall be five  
1569 thousand dollars and the fee to receive a final license shall be twenty-  
1570 five thousand dollars.

1571 (8) For a delivery service license, the fee to enter the lottery shall be  
1572 two hundred fifty dollars, the fee to receive a provisional license shall  
1573 be one thousand dollars and the fee to receive a final license shall be five

1574 thousand dollars.

1575 (9) For a backer license, the fee shall be one hundred dollars.

1576 (10) For a key employee license, the fee shall be one hundred dollars.

1577 (11) For all employees who are not backers or key employees, the  
1578 registration fee shall be fifty dollars.

1579 (12) The license conversion fee for a dispensary facility to become a  
1580 hybrid retailer shall be two hundred fifty thousand dollars.

1581 (13) The license expansion fee for a producer to engage in the adult  
1582 use cannabis market shall be seven hundred fifty thousand dollars.

1583 (c) Any fees collected by the department under this section shall be  
1584 paid to the State Treasurer and credited to the General Fund, except that  
1585 the fees collected under subdivisions (12) and (13) of subsection (b) of  
1586 this section shall be deposited in the cannabis social equity account  
1587 established under subsection (e) of this section.

1588 (d) A social equity applicant shall pay fifty per cent of the amount of  
1589 any of the fees specified in subsection (b) of this section for the  
1590 applicable license applied for, provided in the case of the fees set forth  
1591 in subdivisions (12) and (13) of subsection (b) of this section, a social  
1592 equity applicant shall pay the full amount of the fee.

1593 (e) There is established an account to be known as the "cannabis social  
1594 equity account" which shall be a separate, nonlapsing account within  
1595 the General Fund. The account shall contain any moneys required by  
1596 law to be deposited in the account, including any fees collected under  
1597 subdivisions (12) and (13) of subsection (b) of this section. Moneys in the  
1598 account shall be expended by the Cannabis Control Commission for the  
1599 purposes of the cannabis business accelerator program established  
1600 under section 38 of this act and the workforce training program  
1601 established under section 39 of this act.

1602 (f) For each license type:

1603 (1) Applicants shall apply on a form and in a manner prescribed by  
1604 the commissioner, in consultation with the commission;

1605 (2) The department shall post on its Internet web site the application  
1606 period, which shall specify the first and last date that the department  
1607 will accept applications for that license type. Only complete license  
1608 applications received by the department during the application period  
1609 shall be considered.

1610 Sec. 35. (NEW) (*Effective July 1, 2021*) (a) The Social Equity Council  
1611 established under section 22 of this act shall review the ownership and  
1612 demographic information contained in the applications for the micro-  
1613 cultivator, food and beverage manufacturer, and delivery service license  
1614 types submitted to the department and designated by the applicant for  
1615 Social Equity Council review, to identify applications submitted by  
1616 social equity applicants. The Social Equity Council shall define majority  
1617 ownership and the documentation necessary to establish such  
1618 ownership and residency. No identifying information beyond what is  
1619 necessary to establish social equity status shall be provided to the Social  
1620 Equity Council. Any social equity application shall be entered into the  
1621 lottery for the applicable license type, as well as, if applicable pursuant  
1622 to subsection (b) of this section, entered into a separate and distinct  
1623 social equity application lottery for such license type, provided that the  
1624 maximum license award restrictions set forth in section 40 of this act  
1625 shall apply, and a single application cannot be eligible for more than one  
1626 provisional license.

1627 (b) Prior to the first date that the department will accept applications  
1628 for a license type, the department shall, in consultation with the  
1629 commission, determine the maximum number of applications that shall  
1630 be considered for that license type and post such information on its  
1631 Internet web site. The department shall reserve forty per cent of the  
1632 maximum number of applications that shall be considered for eligible  
1633 license types for social equity applicants.

1634 (c) If, upon the close of the application period for a license type, the  
1635 department receives more applications than the maximum number to  
1636 be considered as set forth in subsection (b) of this section, a third-party  
1637 lottery operator shall conduct a lottery to select applications for review  
1638 by the department in accordance with subsection (e) of this section.

1639 (d) If, upon the close of the application period for a license type, the  
1640 Social Equity Council has identified more qualifying social equity  
1641 applications than the number allocated to be reserved for social equity  
1642 applicants to be considered as set forth in subsection (b) of this section,  
1643 a third-party lottery operator shall conduct a lottery to select  
1644 applications of social equity applicants for review by the department  
1645 and the Social Equity Council in accordance with subsection (g) of this  
1646 section.

1647 (e) The third-party lottery operator shall:

1648 (1) Not be provided any application received after the close of the  
1649 application period;

1650 (2) Give equal weight to every complete application submitted  
1651 during the application period;

1652 (3) Conduct an independent lottery for each license type that results  
1653 in each application being randomly ranked starting with one and  
1654 continuing sequentially; and

1655 (4) Identify for the department all applications to be considered,  
1656 which shall consist of the applications ranked numerically one to the  
1657 maximum number set forth in accordance with subsection (b) of this  
1658 section. If the department determined that it would review ten  
1659 applications for a license type, the lottery shall identify for the  
1660 department the applications ranked one to ten, inclusive. Any  
1661 application not selected through the lottery process shall not be  
1662 reviewed and will not be eligible for licensure.

1663 (f) The third-party lottery operator shall rank all applications

1664 numerically, including those that exceed the number to be considered.  
1665 Nothing in this section shall prevent the third-party lottery operator  
1666 from providing the numerical rankings of all applications for each  
1667 license type for which a lottery is performed or the department from  
1668 obtaining the numerical rankings of all applications for each license type  
1669 for which a lottery is performed by the third-party lottery operator.

1670 (g) Upon being notified by the third-party lottery operator of the  
1671 applications chosen for review, the department shall review each  
1672 application to confirm it is complete and to determine whether any  
1673 application: (1) Includes a backer with a disqualifying conviction; (2)  
1674 includes a backer that would result in common ownership in violation  
1675 of the cap set forth in section 40 of this act; or (3) has a backer who  
1676 individually or in connection with a cannabis business in another state  
1677 or country has an administrative finding or judicial decision that may  
1678 substantively compromise the integrity of the cannabis program, as  
1679 determined by the department, or that precludes its participation in this  
1680 state's cannabis program. Concurrently, the Social Equity Council shall  
1681 also review the applications submitted by social equity applicants for  
1682 completeness and to determine whether the majority ownership of any  
1683 such applicant fails to meet the criteria of a social equity applicant such  
1684 that a corresponding application would be disqualified as a social equity  
1685 application. If the number of applications submitted is equal to or less  
1686 than the maximum number posted on the department's Internet web  
1687 site pursuant to subsection (b) of this section, the department may  
1688 immediately begin to review the applications in accordance with this  
1689 subsection without use of a lottery process.

1690 (h) If an applicant or a single backer of an applicant is disqualified on  
1691 the basis of any of the criteria set forth in subsection (g) of this section,  
1692 the entire application shall be denied, and such denial shall be a final  
1693 decision of the department, provided (1) backers of the applicant entity  
1694 named in the lottery application submission may be removed prior to  
1695 submission of a final license application, and (2) no additional backers  
1696 may be added to a cannabis establishment application between the time

1697 of lottery entry and when a final license is awarded to the cannabis  
1698 establishment. If the applicant removes any backer that would cause the  
1699 applicant to be denied based on subsection (g) of this section, then the  
1700 applicant entity shall not be denied due to such backer's prior  
1701 involvement if such backer is removed within thirty days of notice by  
1702 the department of the disqualification of a backer. Not later than thirty  
1703 days after service of notice upon the applicant of a denial, the applicant  
1704 may take an appeal therefrom to the Superior Court in accordance with  
1705 section 4-183 of the general statutes.

1706 (i) For each application denied pursuant to subsection (g) of this  
1707 section, the department may, within its discretion, request that the  
1708 lottery identify the next-ranked application in the applicable lottery.  
1709 This process may continue until the department has identified for  
1710 further consideration the number of applications equivalent to the  
1711 maximum number set forth on its Internet web site pursuant to  
1712 subsection (b) of this section. If the number of applications remaining is  
1713 less than the maximum number posted on the department's Internet  
1714 web site, the department may, within its discretion, reopen the  
1715 application period or award fewer licenses.

1716 (j) All applicants selected in the lottery and not denied shall be  
1717 provided a provisional license application, which shall be submitted in  
1718 a form and manner prescribed by the commissioner.

1719 (k) Applicants shall have sixty days from the date they receive their  
1720 provisional application to complete the application. The right to apply  
1721 for a provisional license is nontransferable.

1722 (l) Upon receiving a provisional application from an applicant, the  
1723 department shall review the application for completeness and to  
1724 confirm that all information provided is acceptable and in compliance  
1725 with this section and any regulations adopted under this section.

1726 (m) If a provisional application meets the standards set forth in this  
1727 section, the applicant shall be provided a provisional license. A



1728 provisional license shall be nontransferable. If the provisional  
1729 application does not meet the standards set forth in this section or is not  
1730 completed within sixty days, the applicant shall not receive a  
1731 provisional license. The decision of the department not to award a  
1732 provisional license shall be final and may be appealed in accordance  
1733 with section 4-183 of the general statutes. Nothing in this section shall  
1734 prevent a provisional applicant from submitting an application for a  
1735 future lottery.

1736 (n) A provisional license shall expire after fourteen months and shall  
1737 not be renewed. A provisional licensee may apply for a final license of  
1738 the license type for which the licensee applied during the initial  
1739 application period.

1740 (o) Final license applications shall be submitted on a form and in a  
1741 manner approved by the commissioner and shall include, but not be  
1742 limited to, the information set forth in this section, as well as evidence  
1743 of the following:

1744 (1) A contract with an approved seed-to-sale vendor in accordance  
1745 with the provisions of RERACA;

1746 (2) A right to occupy the location at which the cannabis establishment  
1747 will be located;

1748 (3) Any necessary local zoning approval for the cannabis  
1749 establishment;

1750 (4) A labor peace agreement entered into between the cannabis  
1751 establishment and a bona fide labor organization;

1752 (5) A social equity plan;

1753 (6) Written policies for preventing diversion and misuse of cannabis  
1754 and sales to underage persons; and

1755 (7) All other security requirements set forth by the department based

1756 on the specific license type.

1757 (p) At any point prior to the expiration of the provisional license, the  
1758 department may award a provisional licensee a final license for the  
1759 license type for which the licensee applied. Prior to receiving final  
1760 license approval, a provisional licensee shall not possess, distribute,  
1761 manufacture, sell or transfer cannabis. In addition, the department may  
1762 conduct a site inspection prior to issuing a final license.

1763 (q) At any time after receiving a final license, a cannabis  
1764 establishment may begin operations, provided all other requirements  
1765 for opening a business in compliance with the laws of this state are  
1766 complete and all employees have been registered and all key employees  
1767 and backers have been licensed, with the department.

1768 Sec. 36. (NEW) (*Effective July 1, 2021*) The Cannabis Control  
1769 Commission shall adopt regulations, in accordance with the provisions  
1770 of chapter 54 of the general statutes, to prevent the sale or change in  
1771 ownership of a producer, dispensary facility, cultivator, micro-  
1772 cultivator, retailer, hybrid retailer, food and beverage manufacturer,  
1773 product manufacturer, product packager or delivery service license  
1774 awarded to a social equity applicant for three years following the  
1775 issuance of such license, unless the backer of such license has died or  
1776 become seriously ill. If the licensee is unable to successfully operate, the  
1777 applicable license shall revert to the state.

1778 Sec. 37. (NEW) (*Effective July 1, 2021*) The Cannabis Control  
1779 Commission shall adopt regulations, in accordance with the provisions  
1780 of chapter 54 of the general statutes, to establish the maximum canopy  
1781 space permitted by a cultivator and micro-cultivator. The square footage  
1782 of any such canopy space shall be measured horizontally starting from  
1783 the outermost point of the furthest mature flowering cannabis plant in  
1784 a designated growing space and continuing around the outside of all  
1785 mature flowering cannabis plants located within the designated  
1786 growing space. If growing spaces are stacked vertically, each level of  
1787 space shall be measured and included as part of the total canopy space

1788 measurement. In adopting such regulations, the commission shall seek  
1789 to ensure an adequate supply of cannabis for the market.

1790       Sec. 38. (*Effective from passage*) (a) The Cannabis Control Commission,  
1791 with the advice of the Social Equity Council and in coordination with  
1792 the Department of Economic and Community Development, shall  
1793 develop a cannabis business accelerator program to provide technical  
1794 assistance to accelerator licensees by partnering accelerator licensees  
1795 with a cannabis establishment. The Cannabis Control Commission may  
1796 consult with a constituent unit of the state system of higher education  
1797 in developing the program.

1798       (b) Any person who meet meets the following criteria may apply for  
1799 an accelerator license under this section:

1800       (1) The individual was, as an adult or as a juvenile, arrested for or  
1801 convicted of, the sale, possession, use, manufacture or cultivation of  
1802 cannabis;

1803       (2) The individual has a parent, spouse or child who was, as an adult  
1804 or as a juvenile, arrested for or convicted of the sale, possession, use,  
1805 manufacture or cultivation of cannabis;

1806       (3) The individual has been a resident of a disproportionately affected  
1807 community for not less than five of the ten years immediately preceding  
1808 the date of such application; or

1809       (4) The individual is a resident of tribal land.

1810       (c) On and after October 1, 2021, the Department of Consumer  
1811 Protection may accept applications from a person described in  
1812 subsection (b) of this section for the following license types: (1)  
1813 Accelerator retailer, (2) accelerator cultivator, (3) accelerator product  
1814 manufacturer, (4) accelerator food and beverage manufacturer, and (5)  
1815 accelerator product packager.

1816       (d) On and after July 1, 2022, the department may accept applications

1817 from (1) retailers, (2) cultivators, (3) product manufacturers, (4) food and  
1818 beverage manufacturers, (5) product packagers, (6) hybrid-retailers, and  
1819 (7) micro-cultivators, licensed pursuant to section 34 of this act, to  
1820 partner with accelerator licensee of the same license type.

1821 (e) As part of the cannabis business accelerator program, accelerator  
1822 licensees may be required to participate in training on accounting  
1823 methods, business services, how to access capital markets and financing  
1824 opportunities and on regulatory compliance. Social equity applicants  
1825 who have been awarded either a provisional license or a final license for  
1826 a cannabis establishment may participate in the training programs made  
1827 available under this section.

1828 (f) The Cannabis Control Commission shall facilitate opportunities  
1829 for participants in the cannabis business accelerator program to meet  
1830 with potential investors.

1831 (g) An accelerator licensee who has partnered with a cannabis  
1832 establishment pursuant to subsection (d) of this section shall be allowed  
1833 the same privileges afforded the cannabis establishment's license.

1834 (h) The Cannabis Control Commission may determine the duration  
1835 and number of accelerator licenses awarded under this section.

1836 Sec. 39. *(Effective from passage)* (a) The Cannabis Control Commission,  
1837 in consultation with the Social Equity Council and in coordination with  
1838 the Department of Economic and Community Development and Labor  
1839 Department, shall develop a workforce training program to further  
1840 equity goals, ensure cannabis establishments have access to a well-  
1841 trained employee applicant pool, and support individuals who live in a  
1842 disproportionately affected community to find employment in the  
1843 cannabis industry.

1844 (b) The Cannabis Control Commission shall consult with cannabis  
1845 establishments on an ongoing basis to develop a workforce training  
1846 program that meet the needs of their businesses.

1847 (c) The Cannabis Control Commission, as part of the workforce  
1848 training program developed pursuant to this section, shall develop a  
1849 universal application for prospective enrollees in the workforce training  
1850 program.

1851 (d) Upon completion of the workforce training program, enrollees  
1852 may opt to have their information provided to cannabis establishments  
1853 as prospective employees.

1854 (e) The Cannabis Control Commission may partner with the  
1855 Workforce Investment Boards and any institution of higher education  
1856 to develop the workforce training program.

1857 Sec. 40. (NEW) (*Effective July 1, 2021*) From July 1, 2021, until June 30,  
1858 2025, the department shall not award a cannabis establishment license  
1859 to any lottery applicant who, at the time the lottery is conducted, has  
1860 two or more licenses or includes a backer that is a backer of two or more  
1861 licensees in the same license type or category for which the applicant  
1862 has entered the lottery. For purposes of this section, retailer and hybrid  
1863 retailer licenses shall be considered to be within the same license  
1864 category and producer, cultivator and micro-cultivator licenses shall be  
1865 considered to be within the same license category. Applicants entering  
1866 the lottery for a cannabis establishment license on or before June 30,  
1867 2025, shall be disqualified if a review of cannabis establishment  
1868 affiliations held by the business entity or any backer shows that the  
1869 cannabis establishment applicant or its backers also have an ownership  
1870 interest of five per cent or greater in or managerial control over two  
1871 other cannabis establishments of the same license type or category.  
1872 Individuals applying for a backer license shall be denied if they exceed  
1873 the ownership thresholds set forth in this section.

1874 Sec. 41. (NEW) (*Effective July 1, 2021*) (a) On and after July 1, 2021, the  
1875 department may issue or renew a license for a person to be a retailer. No  
1876 person may act as a retailer or represent that such person is a retailer  
1877 unless such person has obtained a license from the department pursuant  
1878 to this section.

1879 (b) A retailer may obtain cannabis or cannabis products from a  
1880 cultivator, micro-cultivator, producer, product packager, food and  
1881 beverage manufacturer, product manufacturer or delivery service. A  
1882 retailer may sell, transport or transfer cannabis or cannabis products to  
1883 a delivery service, laboratory or research program. A retailer may sell  
1884 cannabis or cannabis products to a consumer, except that a retailer may  
1885 not conduct sales of medical marijuana products nor offer discounts or  
1886 other inducements to qualifying patients or caregivers. A retailer shall  
1887 not gift or transfer cannabis or cannabis products at no cost to a  
1888 consumer as part of a commercial transaction.

1889 (c) Retailers shall maintain a secure location, in a manner approved  
1890 by the commissioner, at the licensee's premises where cannabis that is  
1891 unable to be delivered by an employee or delivery service may be  
1892 returned to the retailer. Such secure cannabis return location shall meet  
1893 specifications set forth by the commissioner and published on the  
1894 department's Internet web site.

1895 (d) A retailer may deliver cannabis and cannabis products through a  
1896 delivery service or by utilizing its own employees.

1897 Sec. 42. (NEW) (*Effective July 1, 2021*) (a) On and after July 1, 2021, the  
1898 department may issue or renew a license for a hybrid retailer. No person  
1899 may act as a hybrid retailer or represent that such person is a hybrid  
1900 retailer unless such person has obtained a license from the department  
1901 pursuant to this section.

1902 (b) A hybrid retailer may obtain cannabis or cannabis products from  
1903 a cultivator, micro-cultivator, producer, product packager, food and  
1904 beverage manufacturer, product manufacturer or delivery service. In  
1905 addition to the activities authorized under section 43 of this act, a hybrid  
1906 retailer may sell, transport or transfer cannabis or cannabis products to  
1907 a delivery service, laboratory or research program. A hybrid retailer  
1908 may sell cannabis or cannabis products to a consumer. A hybrid retailer  
1909 shall not gift or transfer cannabis or cannabis products at no cost to a  
1910 consumer, qualifying patient or caregiver as part of a commercial

1911 transaction.

1912 (c) In addition to conducting general retail sales, a hybrid retailer may  
1913 sell marijuana, marijuana products or medical marijuana products, to  
1914 qualifying patients and caregivers. Any marijuana, marijuana products  
1915 or medical marijuana products sold to qualifying patients and  
1916 caregivers shall be dispensed by a licensed pharmacist and shall be  
1917 recorded in the electronic prescription drug monitoring program,  
1918 established pursuant to section 21a-254 of the general statutes, in real-  
1919 time or immediately upon completion of the transaction, unless not  
1920 reasonably feasible for a specific transaction, but in no case longer than  
1921 one hour after completion of the transaction. Only a licensed pharmacist  
1922 or dispensary technician may upload or access data in the prescription  
1923 drug monitoring program.

1924 (d) A hybrid retailer shall maintain a licensed pharmacist on premises  
1925 at all times when the hybrid retail location is open to the public or to  
1926 qualifying patients and caregivers.

1927 (e) The hybrid retailer location shall include a private consultation  
1928 space for pharmacists to meet with qualifying patients and caregivers.  
1929 Additionally, the hybrid retailer premises shall accommodate an  
1930 expedited method of entry that allows for priority entrance into the  
1931 premises for qualifying patients and caregivers.

1932 (f) Subject to the restrictions set forth in section 43 of this act, a hybrid  
1933 retailer may deliver cannabis and cannabis products through a delivery  
1934 service or by utilizing its own employees. Hybrid retailers shall  
1935 maintain a secure location, in a manner approved by the commissioner,  
1936 at the licensee's premises where cannabis that is unable to be delivered  
1937 by an employee or delivery service may be returned to the hybrid  
1938 retailer. Such secure cannabis return location shall meet specifications  
1939 set forth by the commissioner and published on the department's  
1940 Internet web site.

1941 (g) Cannabis or cannabis products dispensed to a qualifying patient

1942 or caregiver that are unable to be delivered and are returned by the  
1943 delivery service to the hybrid retailer shall be returned to the licensee  
1944 inventory system and removed from the prescription drug monitoring  
1945 program not later than forty-eight hours after receipt of the cannabis or  
1946 cannabis products from the delivery service.

1947 (h) A hybrid retailer may not convert its license to a retailer license.  
1948 To obtain a retailer license, a hybrid retailer shall apply through the  
1949 lottery application process. A hybrid retailer may convert to a  
1950 dispensary facility if the hybrid retailer complies with all applicable  
1951 provisions of chapter 420f of the general statutes, and upon written  
1952 approval by the department.

1953 Sec. 43. (NEW) (*Effective July 1, 2021*) (a) A dispensary facility may  
1954 apply to the department, on a form and in a manner prescribed by the  
1955 commissioner, to convert its license to a hybrid retailer license on or  
1956 after September 1, 2021, without applying through the lottery  
1957 application system. The license conversion application shall require a  
1958 dispensary facility to submit a detailed medical preservation plan for  
1959 how it will prioritize sales and access to medical marijuana products for  
1960 qualifying patients, including, but not limited to, managing customer  
1961 traffic flow, preventing supply shortages, providing delivery services  
1962 and ensuring appropriate staffing levels.

1963 (b) A dispensary facility may not convert its license to a retailer  
1964 license. To obtain a retailer license, a dispensary facility shall apply  
1965 through the lottery application process.

1966 (c) After October 1, 2021, qualifying patients shall not be required to  
1967 designate a dispensary facility or hybrid retailer as its exclusive location  
1968 to purchase cannabis, nor shall the department require any future  
1969 change of designated dispensary facility applications. If all dispensary  
1970 facilities demonstrate to the department's satisfaction that they are  
1971 adhering to the real-time upload requirements set forth in subsection (d)  
1972 of this section prior to October 1, 2021, the commissioner may eliminate  
1973 the requirement for designated dispensary facilities prior to said date.



1974       (d) On and after October 1, 2021, dispensary facilities and hybrid  
1975       retailers shall be required to perform real-time uploads to the  
1976       prescription drug monitoring program. Any marijuana, marijuana  
1977       products or medical marijuana products sold to qualifying patients or  
1978       caregivers shall be dispensed by a licensed pharmacist and shall be  
1979       recorded into the prescription drug monitoring program, established  
1980       pursuant to section 21a-254 of the general statutes, in real-time or  
1981       immediately upon completion of the transaction, unless not reasonably  
1982       feasible for a specific transaction, but in no case longer than one hour  
1983       after completion of the transaction.

1984       (e) On and after September 1, 2021, a dispensary facility or hybrid  
1985       retailer may apply to the department, in a form and in a manner  
1986       prescribed by the commissioner, to provide delivery services to  
1987       qualifying patients and caregivers utilizing its own employees or a  
1988       delivery service if available. A dispensary facility or hybrid retailer may  
1989       deliver marijuana only from its own inventory to qualifying patients  
1990       and caregivers. If such application is approved by the commissioner, the  
1991       dispensary facility or hybrid retailer may commence delivery services  
1992       on and after January 1, 2022, provided the commissioner may authorize  
1993       dispensary facilities or hybrid retailers to commence delivery services  
1994       prior to January 1, 2022, upon forty-five days advance written notice,  
1995       published on the department's Internet web site.

1996       (f) Hybrid retailers may commence delivery of cannabis directly to  
1997       consumers as of the date the first adult use cannabis sales are permitted  
1998       by the commissioner as set forth in subsection (g) of this section. Once  
1999       delivery services become available, hybrid retailers shall not utilize their  
2000       own employees to perform delivery of cannabis to consumers and shall  
2001       solely utilize a delivery service for any delivery to consumers who are  
2002       not qualifying patients or caregivers until the earlier of May 1, 2023, or  
2003       one year from the date the commissioner authorizes the adult use  
2004       cannabis market to open to the public as set forth in subsection (g) of  
2005       this section. After such date, hybrid retailers may deliver cannabis to  
2006       consumers utilizing their own employees or a delivery service, or a

2007 combination of thereof.

2008 (g) Dispensary facilities that convert to hybrid retailers may open  
2009 their premises to the general public and commence adult use cannabis  
2010 sales on and after May 4, 2022. The commissioner may authorize the  
2011 adult use cannabis market to open prior to said date upon forty-five  
2012 days advance written notice, which shall be published on the  
2013 department's Internet web site.

2014 Sec. 44. (NEW) (*Effective July 1, 2021*) (a) On and after July 1, 2021, the  
2015 department may issue or renew a license for a person to be a food and  
2016 beverage manufacturer. No person may act as a food and beverage  
2017 manufacturer or represent that such person is a licensed food and  
2018 beverage manufacturer unless such person has obtained a license from  
2019 the department pursuant to this section.

2020 (b) A food and beverage manufacturer may incorporate cannabis or  
2021 cannabis concentrates into foods or beverages as an ingredient. A food  
2022 and beverage manufacturer shall not perform extraction of cannabis  
2023 into a cannabis concentrate nor create any product that is not a food or  
2024 beverage intended to be consumed by humans.

2025 (c) A food and beverage manufacturer may package or label any food  
2026 or beverage incorporating cannabis or cannabis concentrates prepared  
2027 by the food and beverage manufacturer at the establishment subject to  
2028 the license.

2029 (d) A food and beverage manufacturer may transfer or transport its  
2030 own products to a cannabis establishment, laboratory or research  
2031 program, provided such transfer or transportation is performed by  
2032 utilizing its employees or a delivery service. A food and beverage  
2033 manufacturer may not transport any cannabis, cannabis products or  
2034 food or beverage incorporating cannabis or cannabis concentrates to a  
2035 consumer, directly or through a delivery service.

2036 (e) All products created by a food and beverage manufacturer shall  
2037 be labeled in accordance with RERACA as well as federal Food and

2038 Drug Administration and United States Department of Agriculture  
2039 requirements.

2040 (f) A food and beverage manufacturer shall ensure all equipment  
2041 utilized for manufacturing, processing and packaging cannabis and  
2042 cannabis products is sanitary and inspected regularly to deter the  
2043 adulteration of cannabis in accordance with RERACA as well as federal  
2044 Food and Drug Administration and United States Department of  
2045 Agriculture requirements.

2046 Sec. 45. (NEW) (*Effective July 1, 2021*) (a) On and after July 1, 2021, the  
2047 department may issue or renew a license for a person to be a product  
2048 manufacturer. No person may act as a product manufacturer or  
2049 represent that such person is a licensed product manufacturer unless  
2050 such person has obtained a license from the department pursuant to this  
2051 section.

2052 (b) A product manufacturer may perform cannabis extractions,  
2053 chemical synthesis and all other manufacturing activities authorized by  
2054 the commissioner and published on the department's Internet web site.

2055 (c) A product manufacturer may package and label cannabis and  
2056 cannabis products manufactured at its establishment subject to the  
2057 license.

2058 (d) A product manufacturer may transport its own products to a  
2059 cannabis establishment, laboratory or research program, provided such  
2060 transportation is performed by utilizing its own employees or a delivery  
2061 service. A product manufacturer may not transport any cannabis and  
2062 cannabis products to a consumer directly or through a delivery service.

2063 (e) All products created by a product manufacturer shall be labeled  
2064 in accordance with RERACA as well as federal Food and Drug  
2065 Administration requirements.

2066 (f) A product manufacturer shall ensure all equipment utilized for  
2067 manufacturing, extracting, processing and packaging cannabis and

2068 cannabis products is sanitary and inspected regularly to deter the  
2069 adulteration of cannabis in accordance with RERACA as well as federal  
2070 Food and Drug Administration requirements.

2071       Sec. 46. (NEW) (*Effective July 1, 2021*) (a) On and after July 1, 2021, the  
2072 department may issue or renew a license for a person to be a product  
2073 packager. No person may act as a product packager or represent that  
2074 such person is a product packager unless such person has obtained a  
2075 license from the department pursuant to this section.

2076       (b) A product packager may obtain cannabis or cannabis products  
2077 from a producer, cultivator, micro-cultivator, food and beverage  
2078 manufacturer or a product manufacturer. The product packager may  
2079 transfer or transport cannabis or cannabis products to any cannabis  
2080 establishment, laboratory or research program, provided the product  
2081 packager only transports cannabis or cannabis products packaged at its  
2082 licensed establishment and utilizing its own employees or a delivery  
2083 service.

2084       (c) A product packager shall be responsible for ensuring that  
2085 cannabis products are labeled and packaged in compliance with the  
2086 provisions of RERACA.

2087       (d) A product packager shall ensure all equipment utilized for  
2088 processing and packaging cannabis and cannabis products is sanitary  
2089 and inspected regularly to deter the adulteration of cannabis or cannabis  
2090 products.

2091       Sec. 47. (NEW) (*Effective July 1, 2021*) (a) On and after July 1, 2021, the  
2092 department may issue or renew a license for a person to be a delivery  
2093 service. No person may act as a delivery service or represent that such  
2094 person is a licensed delivery service unless such person has obtained a  
2095 license from the department pursuant to this section.

2096       (b) Upon application for a delivery service license, the applicant shall  
2097 indicate whether the applicant is applying to transport cannabis and  
2098 cannabis products between cannabis establishments, from certain

2099 cannabis establishments to consumers or qualifying patients and  
2100 caregivers, or a combination thereof.

2101 (c) A delivery service that delivers directly to consumers or  
2102 qualifying patients and caregivers may (1) transport cannabis and  
2103 cannabis products from a micro-cultivator, retailer, or hybrid retailer  
2104 directly to a consumer, and (2) transport marijuana, marijuana products,  
2105 and medical marijuana products from a hybrid retailer or dispensary  
2106 facility directly to a qualifying patient or caregiver. A delivery service  
2107 may not store or maintain control of cannabis, cannabis products,  
2108 marijuana, marijuana products, or medical marijuana products for more  
2109 than twenty-four hours between the point when a consumer, qualifying  
2110 patient, or a caregiver places an order, until the time that the cannabis,  
2111 cannabis product, marijuana, marijuana products, or medical marijuana  
2112 products is delivered to such consumer, qualifying patient or caregiver.

2113 (d) A delivery service may deliver cannabis and cannabis products  
2114 between cannabis establishments, research programs and laboratories.  
2115 If transporting cannabis or cannabis products between cannabis  
2116 establishments, research programs or laboratories, the delivery service  
2117 shall not store or maintain control of cannabis or cannabis products for  
2118 more than twenty-four hours from the point the delivery service picks  
2119 up the cannabis or cannabis products from a cannabis establishment,  
2120 research program or laboratory until the time such cannabis or cannabis  
2121 product is delivered to the destination.

2122 (e) The commissioner shall adopt regulations, in accordance with  
2123 chapter 54 of the general statutes, to implement the provisions of  
2124 RERACA. Notwithstanding the requirements of sections 4-168 to 4-172,  
2125 inclusive, of the general statutes, in order to effectuate the purposes of  
2126 RERACA and protect public health and safety, prior to adopting such  
2127 regulations the commissioner shall issue policies and procedures to  
2128 implement the provisions of this section that shall have the force and  
2129 effect of law. The commissioner shall post all policies and procedures  
2130 on the department's Internet web site, and submit such policies and  
2131 procedures to the Secretary of the State for posting on the eRegulations

2132 System, at least fifteen days prior to the effective date of any policy or  
2133 procedure. Any such policy or procedure shall no longer be effective  
2134 upon the earlier of either adoption of such policy or procedure as a final  
2135 regulation under section 4-172 of the general statutes or forty-eight  
2136 months from July 1, 2021, if such final regulations have not been  
2137 submitted to the legislative regulation review committee for  
2138 consideration under section 4-170 of the general statutes. The  
2139 commissioner shall issue policies and procedures, and thereafter adopt  
2140 final regulations, requiring that: (1) The delivery service meet certain  
2141 security requirements related to the vehicles employed, the conduct of  
2142 employees and agents, and the documentation that shall be maintained  
2143 by the delivery service and its drivers; (2) a delivery service that delivers  
2144 cannabis to consumers maintain an online interface that verifies the age  
2145 of consumers ordering cannabis or cannabis products for delivery and  
2146 meets certain specifications and data security standards; and (3) a  
2147 delivery service that delivers cannabis or cannabis products to  
2148 consumers, qualifying patients or caregivers, and all employees and  
2149 agents of such licensee, to verify the identity of the qualifying patient,  
2150 caregiver or consumer and the age of the consumer upon delivery of  
2151 cannabis or cannabis products to the end consumer, qualifying patient,  
2152 or caregiver, in a manner acceptable to the commissioner. The  
2153 individual placing the cannabis order shall be the individual accepting  
2154 delivery of the cannabis except, in the case of a qualifying patient, the  
2155 individual accepting the delivery may be the caregiver of such  
2156 qualifying patient.

2157 (f) A delivery service shall not gift or transfer cannabis or cannabis  
2158 products at no cost to a consumer or qualifying patient or caregiver as  
2159 part of a commercial transaction.

2160 Sec. 48. (NEW) (*Effective July 1, 2021*) (a) On and after July 1, 2021, the  
2161 department may issue or renew a license for a person to be a cultivator.  
2162 No person may act as a cultivator or represent that such person is a  
2163 licensed cultivator unless such person has obtained a license from the  
2164 department pursuant to this section.

2165 (b) A cultivator is authorized to cultivate, grow and propagate  
2166 cannabis at an indoor establishment containing not less than fifteen  
2167 thousand square feet of grow space, provided such cultivator complies  
2168 with the provisions of any regulations adopted under section 37 of this  
2169 act concerning canopy space. A cultivator establishment shall meet  
2170 physical security controls and protocols set forth and required by the  
2171 commissioner.

2172 (c) A cultivator may label, manufacture, package and perform  
2173 extractions on any cannabis or cannabis product cultivated, grown or  
2174 propagated at its licensed establishment, including food and beverage  
2175 products incorporating cannabis and cannabis concentrates, provided  
2176 the cultivator meets all licensure and application requirements for a  
2177 food and beverage manufacturer and a product manufacturer.

2178 (d) A cultivator may sell, transfer or transport its cannabis to a  
2179 dispensary facility, hybrid retailer, retailer, food and beverage  
2180 manufacturer, product manufacturer, research program, laboratory or  
2181 product packager. A cultivator shall not sell, transfer or transport to  
2182 consumers, directly or through a delivery service.

2183 Sec. 49. (NEW) (*Effective July 1, 2021*) (a) On and after July 1, 2021, the  
2184 department may issue or renew a license for a person to be a micro-  
2185 cultivator. No person may act as a micro-cultivator or represent that  
2186 such person is a licensed micro-cultivator unless such person has  
2187 obtained a license from the department pursuant to this section.

2188 (b) A micro-cultivator is authorized to cultivate, grow, propagate,  
2189 manufacture and package the cannabis plant at an indoor establishment  
2190 containing not less than two thousand square feet and not more than  
2191 five thousand square feet of grow space, prior to any expansion  
2192 authorized by the commissioner, provided such cultivator complies  
2193 with the provisions of any regulations adopted under section 37 of this  
2194 act concerning canopy space. Micro-cultivator facilities shall meet  
2195 physical security controls set forth and required by the commissioner.

2196 (c) A micro-cultivator may apply for expansion of its grow space, in  
2197 increments of five thousand square feet, on an annual basis, from the  
2198 date of initial licensure, if such licensee is not subject to any pending or  
2199 final administrative actions or judicial findings. If the licensee has  
2200 pending or final administrative actions or judicial findings against him  
2201 or her, the department shall conduct a suitability review analysis to  
2202 determine whether such expansion shall be granted, which  
2203 determination shall be final and appealable only to the Superior Court.  
2204 The micro-cultivator may apply for an expansion of its facility annually  
2205 upon renewal of its credential until such licensee reaches a maximum of  
2206 fifteen thousand square feet of grow space. If a micro-cultivator desires  
2207 to expand beyond fifteen thousand square feet of grow space, the micro-  
2208 cultivator licensee may apply for a cultivator license one year after its  
2209 last expansion request. The micro-cultivator licensee shall not be  
2210 required to apply through the lottery application process to convert its  
2211 license to a cultivator license. If a micro-cultivator maintains its license  
2212 and meets all of the application and licensure requirements for a  
2213 cultivator license, including payment of the cultivator license fee, the  
2214 micro-cultivator licensee shall be granted a cultivator license.

2215 (d) A micro-cultivator may sell, transfer or transport its cannabis to a  
2216 dispensary facility, hybrid retailer, retailer, delivery service, food and  
2217 beverage manufacturer, product manufacturer, research program,  
2218 laboratory or product packager, provided the cannabis and cannabis  
2219 products are cultivated, grown and propagated at the micro-cultivator's  
2220 licensed establishment and transported utilizing the micro-cultivator's  
2221 own employees or a delivery service. A micro-cultivator shall not gift or  
2222 transfer cannabis or cannabis products at no cost to a consumer as part  
2223 of a commercial transaction.

2224 (e) A micro-cultivator may label, manufacture, package and perform  
2225 extractions on any cannabis and cannabis product cultivated, grown  
2226 and propagated at its licensed establishment, provided it meets all  
2227 licensure and application requirements for a food and beverage  
2228 manufacturer, product manufacturer or product packager, as



2229 applicable.

2230 (f) A Micro-cultivator may sell its own cannabis or cannabis products  
2231 to consumers, excluding qualifying patients and caregivers, either  
2232 through utilizing its own employees or through a delivery service. Any  
2233 micro-cultivator that engages in the delivery of cannabis, either through  
2234 utilizing the micro-cultivator's own employees or a delivery service,  
2235 shall maintain a secure location, in a manner approved by the  
2236 commissioner, at the micro-cultivator's premises where cannabis or a  
2237 cannabis product that is unable to be delivered may be returned to the  
2238 micro-cultivator. Such secure cannabis return location shall meet  
2239 specifications set forth by the commissioner and published on the  
2240 department's Internet web site.

2241 Sec. 50. (NEW) (*Effective July 1, 2021*) (a) Until June 30, 2023, the  
2242 commissioner may deny a change of location application from a  
2243 dispensary facility or hybrid retailer based on the needs of qualifying  
2244 patients.

2245 (b) Prior to June 30, 2022, the commissioner shall not approve the  
2246 relocation of a dispensary facility or hybrid retailer to a location that is  
2247 further than ten miles from its current dispensary facility or hybrid  
2248 retailer location.

2249 Sec. 51. (NEW) (*Effective from passage*) No employee of the department  
2250 who carries out the licensing, inspection, investigation, enforcement or  
2251 policy decisions authorized by RERACA, and any regulations enacted  
2252 pursuant thereto, and no member of the Cannabis Control Commission  
2253 may, directly, individually or as a member of a business entity, have any  
2254 management or financial interest whatsoever in the cultivation,  
2255 manufacture, sale, transportation, delivery or testing of cannabis in this  
2256 state, nor receive any commission or profit from nor have any interest  
2257 whatsoever in purchases or sales made by persons authorized to make  
2258 such purchases or sales pursuant to RERACA. No provision of this  
2259 section shall prevent any such employee or member from purchasing  
2260 and keeping in his or her possession, for his or her personal use or the

2261 use of such employee's or member's family or guests, any cannabis  
2262 which may be purchased or kept by any person by virtue of RERACA.

2263       Sec. 52. (NEW) (*Effective July 1, 2021*) Notwithstanding any provision  
2264 of the general statutes, the purchase, possession, display, sale or  
2265 transportation of cannabis or cannabis products by a cannabis  
2266 establishment or employee thereof shall not be unlawful and shall not  
2267 be an offense or a basis for seizure or forfeiture of assets so long as such  
2268 purchase, possession, display, sale or transportation is within the scope  
2269 of such person's employment or such person's license or registration and  
2270 is in compliance with the laws and regulations that apply to such license  
2271 or registration type.

2272       Sec. 53. (NEW) (*Effective July 1, 2021*) No cannabis establishment shall  
2273 display cannabis, cannabis products or drug paraphernalia in a manner  
2274 that is visible to the general public from a public right-of-way or on state  
2275 lands or waters managed by the Department of Energy and  
2276 Environmental Protection.

2277       Sec. 54. (NEW) (*Effective July 1, 2021*) (a) Each cannabis establishment  
2278 shall establish, maintain and comply with written policies and  
2279 procedures for the cultivation, processing, manufacture, security,  
2280 storage, inventory and distribution of cannabis and cannabis products,  
2281 as applicable to the specific license type. Such policies and procedures  
2282 shall include methods for identifying, recording and reporting  
2283 diversion, theft or loss, and for correcting all errors and inaccuracies in  
2284 inventories. Cannabis establishments shall include in their written  
2285 policies and procedures a process for each of the following, if the  
2286 establishment engages in such activity:

2287       (1) Handling mandatory and voluntary recalls of cannabis and  
2288 cannabis products. Such process shall be adequate to deal with recalls  
2289 due to any order of the commissioner and any voluntary action by the  
2290 cannabis establishment to remove defective or potentially defective  
2291 cannabis or cannabis products from the market or any action  
2292 undertaken to promote public health and safety by replacing existing

2293 cannabis or cannabis products with improved products or packaging;

2294 (2) Preparing for, protecting against and handling any crisis that  
2295 affects the security or operation of any cannabis establishment facility in  
2296 the event of a strike, fire, flood or other natural disaster, or other  
2297 situations of local, state or national emergency;

2298 (3) Ensuring that any outdated, damaged, deteriorated, misbranded  
2299 or adulterated cannabis or cannabis products are segregated from all  
2300 other inventory and destroyed. Such procedure shall provide for written  
2301 documentation of the cannabis and cannabis product disposition; and

2302 (4) Ensuring the oldest stock of a cannabis or cannabis product is sold,  
2303 delivered or dispensed first. Such procedure may permit deviation from  
2304 this requirement, if such deviation is temporary and approved by the  
2305 commissioner.

2306 (b) A cannabis establishment shall (1) store all cannabis and cannabis  
2307 products in such a manner as to prevent diversion, theft or loss, (2) make  
2308 cannabis and cannabis products accessible only to the minimum  
2309 number of specifically authorized employees essential for efficient  
2310 operation, and (3) return any cannabis and cannabis products to a secure  
2311 location at the end of the scheduled business day.

2312 Sec. 55. (NEW) (*Effective July 1, 2021*) (a) Qualifying patients and  
2313 caregivers registered pursuant to chapter 420f of the general statutes  
2314 shall be permitted to purchase cannabis and cannabis products of higher  
2315 potency, varied dosage form, and in a larger per transaction or per day  
2316 amount than are generally available for retail purchase, as determined  
2317 by the commissioner. Such determination, if any, shall be published on  
2318 the Department of Consumer Protection's Internet web site.

2319 (b) Notwithstanding any provision of the general statutes, the sale or  
2320 delivery of drug paraphernalia to a qualifying patient or caregiver or  
2321 person licensed pursuant to the provisions of RERACA or chapter 420f  
2322 of the general statutes, shall not be considered a violation of the  
2323 provisions of RERACA.

2324       Sec. 56. (NEW) (*Effective January 1, 2022*) (a) Each cannabis  
 2325 establishment, licensed pursuant to chapter 420f of the general statutes  
 2326 or the provisions of RERACA shall maintain a record of all cannabis  
 2327 grown, manufactured, wasted and distributed between cannabis  
 2328 establishments and to end-user consumers, qualifying patients and  
 2329 caregivers in a form and manner prescribed by the commissioner. The  
 2330 commissioner shall require an electronic tracking system to monitor the  
 2331 production, harvesting, storage, manufacturing, transport and transfer  
 2332 of cannabis from the point of planting cannabis seeds through the point  
 2333 when the final product is sold to an end-user. Cannabis establishments  
 2334 shall be required to utilize such electronic tracking system and enter the  
 2335 data points required by the commissioner to ensure cannabis and  
 2336 cannabis products are safe, secure and properly labeled for consumer or  
 2337 qualifying patient use. The commissioner may contract with one or  
 2338 more vendors for the purpose of electronically collecting such cannabis  
 2339 information.

2340       (b) The electronic tracking system shall not collect information about  
 2341 any individual consumer, qualifying patient or caregiver purchasing the  
 2342 cannabis or cannabis product.

2343       (c) The electronic tracking system shall track each cannabis seed,  
 2344 clone, seedling or other commencement of the growth of a cannabis  
 2345 plant intended for use by a cannabis establishment.

2346       (d) Information within the electronic tracking system shall be  
 2347 confidential and shall not be subject to disclosure under the Freedom of  
 2348 Information Act, as defined in section 1-200 of the general statutes,  
 2349 except that (1) the commissioner may provide reasonable access to  
 2350 cannabis tracking data obtained under this section to: (A) State agencies  
 2351 and local law enforcement agencies for the purpose of investigating or  
 2352 prosecuting a violation of law; (B) public or private entities for research  
 2353 or educational purposes, provided no individually identifiable  
 2354 information may be disclosed; (C) as part of disciplinary action taken by  
 2355 the department, to another state agency or local law enforcement; and  
 2356 (D) the office of the Attorney General for any review or investigation;

2357 and (2) the commissioner shall provide access to the electronic tracking  
2358 system to (A) the Department of Revenue Services for the purposes of  
2359 enforcement of any tax-related investigations and audits, and (B) the  
2360 Department of Public Health for epidemiological surveillance, research  
2361 and analysis.

2362 Sec. 57. (NEW) (*Effective July 1, 2021*) (a) Each cannabis establishment  
2363 shall maintain all records necessary to fully demonstrate business  
2364 transactions related to cannabis and cannabis products for a period  
2365 covering the current taxable year and the three immediately preceding  
2366 taxable years, all of which shall be made available to the department  
2367 pursuant to subsection (c) of this section.

2368 (b) The commissioner may require any licensee to furnish such  
2369 information as the commissioner considers necessary for the proper  
2370 administration of RERACA, and may require an audit of any cannabis  
2371 establishment, the expense thereof to be paid by such cannabis  
2372 establishment.

2373 (c) Each cannabis establishment, and each person in charge, or having  
2374 custody, of such documents, shall maintain such documents in an  
2375 auditable format for the current taxable year and the three preceding  
2376 taxable years. Upon request, such person shall make such documents  
2377 immediately available for inspection and copying by the commissioner  
2378 or any other enforcement agency or others authorized by RERACA, and  
2379 shall produce copies of such documents to the commissioner or  
2380 commissioner's authorized representative within two business days.  
2381 Such documents shall be provided to the commissioner in electronic  
2382 format, unless not commercially practical. In complying with the  
2383 provisions of this subsection, no person shall use a foreign language,  
2384 codes or symbols to designate cannabis or cannabis product types or  
2385 persons in the keeping of any required document.

2386 (d) For purposes of the supervision and enforcement of the  
2387 provisions of RERACA, the commissioner may:

2388 (1) Enter any place, including a vehicle, in which cannabis or cannabis  
2389 products are held, sold, produced, delivered, transported,  
2390 manufactured or otherwise disposed of;

2391 (2) Inspect a cannabis establishment and all pertinent equipment,  
2392 finished and unfinished material, containers and labeling, and all things  
2393 in such place, including records, files, financial data, sales data, shipping  
2394 data, pricing data, employee data, research, papers, processes, controls  
2395 and facilities; and

2396 (3) Inventory any stock of cannabis and cannabis products and obtain  
2397 samples of any cannabis or cannabis product, any labels or containers,  
2398 paraphernalia and of any finished or unfinished material.

2399 Sec. 58. (NEW) (*Effective July 1, 2021*) (a) For sufficient cause found  
2400 pursuant to subsection (b) of this section, the commissioner may  
2401 suspend or revoke a license or registration, issue fines of not more than  
2402 twenty-five thousand dollars per violation, accept an offer in  
2403 compromise or refuse to grant or renew a license or registration issued  
2404 pursuant to RERACA, or place such licensee or registrant on probation,  
2405 place conditions on such licensee or registrant or take other actions  
2406 permitted by law.

2407 (b) Any of the following shall constitute sufficient cause for such  
2408 action by the commissioner, including, but not limited to:

2409 (1) Furnishing of false or fraudulent information in any application  
2410 or failure to comply with representations made in any application,  
2411 including, but not limited to, medical preservation plans and security  
2412 requirements;

2413 (2) A civil judgment against or disqualifying conviction of a cannabis  
2414 establishment licensee, backer, key employee or license applicant;

2415 (3) Failure to maintain effective controls against diversion, theft or  
2416 loss of cannabis, cannabis products or other controlled substances;

2417 (4) Discipline by, or a pending disciplinary action or an unresolved  
2418 complaint against a cannabis establishment licensee, registrant or  
2419 applicant regarding any professional license or registration of any  
2420 federal, state or local government;

2421 (5) Failure to keep accurate records and to account for the cultivation,  
2422 manufacture, packaging or sale of cannabis and cannabis products;

2423 (6) Denial, suspension or revocation of a license or registration, or the  
2424 denial of a renewal of a license or registration, by any federal, state or  
2425 local government or a foreign jurisdiction;

2426 (7) False, misleading or deceptive representations to the public or the  
2427 department;

2428 (8) Return to regular stock of any cannabis or cannabis product  
2429 where:

2430 (A) The package or container containing the cannabis or cannabis  
2431 product has been opened, breached, tampered with or otherwise  
2432 adulterated; or

2433 (B) The cannabis or cannabis product has been previously sold to an  
2434 end user or research program subject;

2435 (9) Involvement in a fraudulent or deceitful practice or transaction;

2436 (10) Performance of incompetent or negligent work;

2437 (11) Failure to maintain the entire cannabis establishment or  
2438 laboratory and contents in a secure, clean, orderly and sanitary  
2439 condition;

2440 (12) Permitting another person to use the licensee's license;

2441 (13) Failure to properly register employees or license key employees,  
2442 or failure to notify the department of a change in key employees or  
2443 backers;

2444 (14) An adverse administrative decision or delinquency assessment  
2445 against the cannabis establishment from the Department of Revenue  
2446 Services;

2447 (15) Failure to cooperate or give information to the department, local  
2448 law enforcement authorities or any other enforcement agency upon any  
2449 matter arising out of conduct at a cannabis establishment or laboratory  
2450 or in connection with a research program; or

2451 (16) Failure to comply with any provision of RERACA.

2452 (c) Upon refusal to issue or renew a license or registration, the  
2453 commissioner shall notify the applicant of the denial and of the  
2454 applicant's right to request a hearing within ten days from the date of  
2455 receipt of the notice of denial. If the applicant requests a hearing within  
2456 such ten-day period, the commissioner shall give notice of the grounds  
2457 for the commissioner's refusal and shall conduct a hearing concerning  
2458 such refusal in accordance with the provisions of chapter 54 of the  
2459 general statutes concerning contested cases. If the commissioner's denial  
2460 of a license or registration is sustained after such hearing, an applicant  
2461 may not apply for a new cannabis establishment, backer or key  
2462 employee license or employee registration for a period of one year after  
2463 the date on which such denial was sustained.

2464 (d) No person whose license or registration has been revoked may  
2465 apply for a cannabis establishment, backer or key employee license or  
2466 an employee registration for a period of one year after the date of such  
2467 revocation.

2468 (e) The voluntary surrender or failure to renew a license or  
2469 registration shall not prevent the commissioner from suspending or  
2470 revoking such license or registration or imposing other penalties  
2471 permitted by RERACA.

2472 Sec. 59. (NEW) (*Effective from passage*) (a) The commissioner may  
2473 adopt regulations in accordance with chapter 54 of the general statutes,  
2474 including emergency regulations pursuant to section 4-168 of the



2475 general statutes, to implement the provisions of RERACA.

2476 (b) Notwithstanding the requirements of sections 4-168 to 4-172,  
2477 inclusive, of the general statutes, in order to effectuate the purposes of  
2478 RERACA and protect public health and safety, prior to adopting such  
2479 regulations the commissioner shall implement policies and procedures  
2480 to implement the provisions of RERACA that shall have the force and  
2481 effect of law. The commissioner shall post all such policies and  
2482 procedures on the department's Internet web site and submit such  
2483 policies and procedures to the Secretary of the State for posting on the  
2484 eRegulations System, at least fifteen days prior to the effective date of  
2485 any policy or procedure. Any such policies and procedures shall no  
2486 longer be effective upon the earlier of either adoption of such policies  
2487 and procedures as a final regulation under section 4-172 of the general  
2488 statutes or forty-eight months from the effective date of this section, if  
2489 such regulations have not been submitted to the legislative regulation  
2490 review committee for consideration under section 4-170 of the general  
2491 statutes.

2492 Sec. 60. (*Effective July 1, 2022*) Not later than January 1, 2023, the  
2493 department shall make written recommendations, in accordance with  
2494 the provisions of section 11-4a of the general statutes, to the Governor  
2495 and the joint standing committees of the General Assembly having  
2496 cognizance of matters relating to consumer protection, the judiciary and  
2497 finance, revenue and bonding, as to:

2498 (1) Whether to allow consumers, who are twenty-one years of age and  
2499 older, to cultivate cannabis for the consumer's use. In making such  
2500 recommendation the commissioner shall consider: (A) Reasonable  
2501 precautions to ensure that the plants are secure from unauthorized  
2502 access or access by any individual under twenty-one years of age; (B)  
2503 the location where such cannabis may be grown; (C) how other states  
2504 allow home growing and how such states are regulating personal  
2505 cultivation; (D) if personal cultivation in other states has improved  
2506 access for consumers; and (E) any other related public safety or  
2507 regulatory issues the department deems necessary; and

2508 (2) Whether to authorize on-site consumption or events that allow for  
2509 cannabis usage, including whether to establish a cannabis on-site  
2510 consumption or event license.

2511 Sec. 61. (NEW) (*Effective July 1, 2021*) (a) For purposes of this section:

2512 (1) "Material change" means: (A) The addition of a backer, (B) a  
2513 change in the ownership interest of an existing backer, (C) the merger,  
2514 consolidation or other affiliation of a cannabis establishment with  
2515 another cannabis establishment, (D) the acquisition of all or part of a  
2516 cannabis establishment by another cannabis establishment or backer,  
2517 and (E) the transfer of assets or security interests from a cannabis  
2518 establishment to another cannabis establishment or backer;

2519 (2) "Cannabis establishment" has the same meaning as provided in  
2520 section 1 of this act;

2521 (3) "Person" has the same meaning as provided in section 1 of this act;  
2522 and

2523 (4) "Transfer" means to sell, transfer, lease, exchange, option, convey,  
2524 give or otherwise dispose of or transfer control over, including, but not  
2525 limited to, transfer by way of merger or joint venture not in the ordinary  
2526 course of business.

2527 (b) No person shall, directly or indirectly, enter into a transaction that  
2528 results in a material change to a cannabis establishment, unless all  
2529 parties involved in the transaction file a written notification with the  
2530 Attorney General pursuant to subsection (c) of this section and the  
2531 waiting period described in subsection (d) of this section has expired.

2532 (c) The written notice required under subsection (b) of this section  
2533 shall be in such form and contain such documentary material and  
2534 information relevant to the proposed transaction as the Attorney  
2535 General deems necessary and appropriate to enable the Attorney  
2536 General to determine whether such transaction, if consummated, would  
2537 violate antitrust laws.

2538 (d) The waiting period required under subsection (b) of this section  
2539 shall begin on the date of the receipt by the Attorney General's office of  
2540 the completed notification required under subsection (c) of this section  
2541 from all parties to the transaction and shall end on the thirtieth day after  
2542 the date of such receipt, unless such time is extended pursuant to  
2543 subsection (f) of this section.

2544 (e) The Attorney General may, in individual cases, terminate the  
2545 waiting period specified in subsection (d) of this section and allow any  
2546 person to proceed with any transaction.

2547 (f) The Attorney General may, prior to the expiration of the thirty-day  
2548 waiting period, require the submission of additional information or  
2549 documentary material relevant to the proposed transaction from a  
2550 person required to file notification with respect to such transaction  
2551 under subsection (b) of this section. Upon request for additional  
2552 information under this subsection, the waiting period shall be extended  
2553 until thirty days after the parties have substantially complied, as  
2554 determined solely by the Attorney General, with such request for  
2555 additional information.

2556 (g) Any information or documentary material filed with the Attorney  
2557 General pursuant to this section shall not be subject to disclosure under  
2558 the Freedom of Information Act, as defined in section 1-200 of the  
2559 general statutes, and no such information or documentary material may  
2560 be made public, except as may be relevant to any administrative or  
2561 judicial action or proceeding. Such information or documentary  
2562 material shall be returned to the person furnishing such information or  
2563 documentary material upon the termination of the Attorney General's  
2564 review or final determination of any action or proceeding commenced  
2565 thereunder.

2566 (h) (1) Any person, or any officer, director or partner thereof, who  
2567 fails to comply with any provision of this section shall be liable to the  
2568 state for a civil penalty of not more than twenty-five thousand dollars  
2569 for each day during which such person is in violation of this section.

2570 Such penalty may be recovered in a civil action brought by the Attorney  
2571 General.

2572 (2) If any person, or any officer, director, partner, agent or employee  
2573 thereof, fails substantially to comply with the notification requirement  
2574 under subsection (b) of this section or any request for the submission of  
2575 additional information or documentary material under subsection (f) of  
2576 this section within the waiting period specified in subsection (d) of this  
2577 section and as may be extended under subsection (f) of this section, the  
2578 court:

2579 (A) May order compliance;

2580 (B) Shall extend the waiting period specified in subsection (d) of this  
2581 section and as may have been extended under subsection (f) of this  
2582 section until there has been substantial compliance, except that, in the  
2583 case of a tender offer, the court may not extend such waiting period on  
2584 the basis of a failure, by the person whose stock is sought to be acquired,  
2585 to comply substantially with such notification requirement or any such  
2586 request; and

2587 (C) May grant such other equitable relief as the court in its discretion  
2588 determines necessary or appropriate, upon application of the Attorney  
2589 General.

2590 Sec. 62. (NEW) (*Effective July 1, 2022*) Each cannabis establishment  
2591 shall annually report publicly in a manner prescribed by the  
2592 commissioner: (1) Its annual usage of electricity, and (2) what fraction  
2593 of its electricity usage is generated from Class I Renewable Portfolio  
2594 Standards produced in the state per the Regional Greenhouse Gas  
2595 Initiative agreement. Each cannabis establishment shall purchase  
2596 electricity generated from Class I Renewable Portfolio Standards  
2597 produced in the states that are party to the Regional Greenhouse Gas  
2598 Initiative agreement, to the greatest extent possible.

2599 Sec. 63. (*Effective from passage*) Not later than January 1, 2022, the  
2600 Banking Commissioner, in consultation with the Commissioner of

2601 Consumer Protection, shall report to the Governor and the joint  
2602 standing committees of the General Assembly having cognizance of  
2603 matters relating to banking, the judiciary and finance, revenue and  
2604 bonding, regarding recommended legislation to implement the  
2605 provisions of RERACA, to facilitate the use of electronic payments by  
2606 cannabis establishments and consumers and regarding access for  
2607 cannabis establishments to (1) depository banking, and (2) commercial  
2608 mortgages.

2609 Sec. 64. (*Effective from passage*) Not later than January 1, 2022, the  
2610 Insurance Commissioner shall report to the Governor and the joint  
2611 standing committee of the General Assembly having cognizance of  
2612 matters relating to insurance regarding access to insurance by cannabis  
2613 establishments.

2614 Sec. 65. (*Effective from passage*) Not later than January 1, 2023, the  
2615 Alcohol and Drug Policy Council shall make recommendations to the  
2616 Governor and the joint standing committees of the General Assembly  
2617 having cognizance of matters relating to public health, the judiciary and  
2618 finance, revenue and bonding regarding (1) efforts to promote public  
2619 health, science-based harm reduction, mitigate misuse and the risk of  
2620 addiction to cannabis and the effective treatment of addiction to  
2621 cannabis with a particular focus on individuals under twenty-one years  
2622 of age; and (2) the collection and reporting of data to allow for  
2623 epidemiological surveillance and review of cannabis consumption and  
2624 the impacts thereof in the state.

2625 Sec. 66. Section 21a-408 of the general statutes is repealed and the  
2626 following is substituted in lieu thereof (*Effective October 1, 2021*):

2627 As used in this section, sections 21a-408a to 21a-408o, inclusive, as  
2628 amended by this act and sections 21a-408r to 21a-408v, inclusive, as  
2629 amended by this act, unless the context otherwise requires:

2630 (1) "Advanced practice registered nurse" means an advanced practice  
2631 registered nurse licensed pursuant to chapter 378;

2632 (2) "Cultivation" includes planting, propagating, cultivating, growing  
2633 and harvesting;

2634 (3) "Debilitating medical condition" means (A) cancer, glaucoma,  
2635 positive status for human immunodeficiency virus or acquired immune  
2636 deficiency syndrome, Parkinson's disease, multiple sclerosis, damage to  
2637 the nervous tissue of the spinal cord with objective neurological  
2638 indication of intractable spasticity, epilepsy or uncontrolled intractable  
2639 seizure disorder, cachexia, wasting syndrome, Crohn's disease,  
2640 posttraumatic stress disorder, irreversible spinal cord injury with  
2641 objective neurological indication of intractable spasticity, cerebral palsy,  
2642 cystic fibrosis or terminal illness requiring end-of-life care, except, if the  
2643 qualifying patient is under eighteen years of age, "debilitating medical  
2644 condition" means terminal illness requiring end-of-life care, irreversible  
2645 spinal cord injury with objective neurological indication of intractable  
2646 spasticity, cerebral palsy, cystic fibrosis, severe epilepsy or uncontrolled  
2647 intractable seizure disorder, or (B) any medical condition, medical  
2648 treatment or disease approved for qualifying patients by the  
2649 Department of Consumer Protection [pursuant to regulations adopted  
2650 under section 21a-408m] and posted online pursuant to section 21a-408l,  
2651 as amended by this act;

2652 (4) "Dispensary facility" means a place of business where marijuana  
2653 may be dispensed, sold or distributed in accordance with this chapter  
2654 and any regulations adopted thereunder to qualifying patients and  
2655 caregivers and for which the department has issued a dispensary facility  
2656 license pursuant to this chapter;

2657 (5) "Employee" has the same meaning as provided in section 1 of this  
2658 act;

2659 [(4)] (6) "Institutional animal care and use committee" means a  
2660 committee that oversees an organization's animal program, facilities  
2661 and procedures to ensure compliance with federal policies, guidelines  
2662 and principles related to the care and use of animals in research;

2663       [(5)] (7) "Institutional review board" means a specifically constituted  
2664 review body established or designated by an organization to protect the  
2665 rights and welfare of persons recruited to participate in biomedical,  
2666 behavioral or social science research;

2667       [(6)] (8) "Laboratory" means a laboratory located in the state that is  
2668 licensed [to provide analysis of controlled substances pursuant to  
2669 section 21a-246 and] pursuant to section 21a-408r, as amended by this  
2670 act;

2671       [(7)] (9) "Laboratory employee" means a person who is [(A) licensed]  
2672 registered as a laboratory employee pursuant to section 21a-408r, as  
2673 amended by this act; [ or (B) holds a temporary certificate of registration  
2674 issued pursuant to section 21a-408r;]

2675       [(8)] (10) "Licensed dispensary" or "dispensary" means [a person] an  
2676 individual who is a licensed [as] pharmacist employed by a dispensary  
2677 [pursuant to section 21a-408h] facility or hybrid retailer;

2678       [(9)] (11) "Licensed producer" or "producer" means a person who is  
2679 licensed as a producer pursuant to section 21a-408i, as amended by this  
2680 act;

2681       [(10)] (12) "Marijuana" means marijuana, as defined in section 21a-  
2682 240;

2683       [(11)] (13) "Nurse" means a person who is licensed as a nurse under  
2684 chapter 378;

2685       [(12)] (14) "Palliative use" means the acquisition, distribution,  
2686 transfer, possession, use or transportation of marijuana or paraphernalia  
2687 relating to marijuana, including the transfer of marijuana and  
2688 paraphernalia relating to marijuana from the patient's [primary]  
2689 caregiver to the qualifying patient, to alleviate a qualifying patient's  
2690 symptoms of a debilitating medical condition or the effects of such  
2691 symptoms, but does not include any such use of marijuana by any  
2692 person other than the qualifying patient;

2693       [(13)] (15) "Paraphernalia" means drug paraphernalia, as defined in  
2694 section 21a-240;

2695       [(14)] (16) "Physician" means a person who is licensed as a physician  
2696 under chapter 370, but does not include a physician assistant, as defined  
2697 in section 20-12a;

2698       [(15)] (17) ["Primary caregiver"] "Caregiver" means a person, other  
2699 than the qualifying patient and the qualifying patient's physician or  
2700 advanced practice registered nurse, who is eighteen years of age or older  
2701 and has agreed to undertake responsibility for managing the well-being  
2702 of the qualifying patient with respect to the palliative use of marijuana,  
2703 provided (A) in the case of a qualifying patient (i) under eighteen years  
2704 of age and not an emancipated minor, or (ii) otherwise lacking legal  
2705 capacity, such person shall be a parent, guardian or person having legal  
2706 custody of such qualifying patient, and (B) in the case of a qualifying  
2707 patient eighteen years of age or older or an emancipated minor, the need  
2708 for such person shall be evaluated by the qualifying patient's physician  
2709 or advanced practice registered nurse and such need shall be  
2710 documented in the written certification;

2711       [(16)] (18) "Qualifying patient" means a person who: (A) Is a resident  
2712 of Connecticut, (B) has been diagnosed by a physician or an advanced  
2713 practice registered nurse as having a debilitating medical condition, and  
2714 (C) (i) is eighteen years of age or older, (ii) is an emancipated minor, or  
2715 (iii) has written consent from a custodial parent, guardian or other  
2716 person having legal custody of such person that indicates that such  
2717 person has permission from such parent, guardian or other person for  
2718 the palliative use of marijuana for a debilitating medical condition and  
2719 that such parent, guardian or other person will (I) serve as a [primary]  
2720 caregiver for the qualifying patient, and (II) control the acquisition and  
2721 possession of marijuana and any related paraphernalia for palliative use  
2722 on behalf of such person. "Qualifying patient" does not include an  
2723 inmate confined in a correctional institution or facility under the  
2724 supervision of the Department of Correction;



2725 [(17)] (19) "Research program" means a study approved by the  
2726 Department of Consumer Protection in accordance with this chapter  
2727 and undertaken to increase information or knowledge regarding the  
2728 growth, processing, medical attributes, dosage forms, administration or  
2729 use of marijuana to treat or alleviate symptoms of any medical  
2730 conditions or the effects of such symptoms;

2731 [(18)] (20) "Research program employee" means a person who (A) is  
2732 [licensed] registered as a research program employee under section 21a-  
2733 408t, or (B) holds a temporary certificate of registration issued pursuant  
2734 to section 21a-408t, as amended by this act;

2735 [(19)] (21) "Research program subject" means a person registered as a  
2736 research program subject pursuant to section 21a-408v, as amended by  
2737 this act;

2738 [(20)] (22) "Usable marijuana" means the dried leaves and flowers of  
2739 the marijuana plant, and any mixtures or preparations of such leaves  
2740 and flowers, that are appropriate for the palliative use of marijuana, but  
2741 does not include the seeds, stalks and roots of the marijuana plant; and

2742 [(21)] (23) "Written certification" means a written certification issued  
2743 by a physician or an advanced practice registered nurse pursuant to  
2744 section 21a-408c, as amended by this act.

2745 Sec. 67. Section 21a-408a of the general statutes is repealed and the  
2746 following is substituted in lieu thereof (*Effective July 1, 2021*):

2747 (a) A qualifying patient shall register with the Department of  
2748 Consumer Protection pursuant to section 21a-408d, as amended by this  
2749 act, prior to engaging in the palliative use of marijuana. A qualifying  
2750 patient who has a valid registration certificate from the Department of  
2751 Consumer Protection pursuant to subsection (a) of section 21a-408d, as  
2752 amended by this act, and complies with the requirements of sections  
2753 21a-408 to [21a-408n] 21a-408m, inclusive, as amended by this act, shall  
2754 not be subject to arrest or prosecution, penalized in any manner,  
2755 including, but not limited to, being subject to any civil penalty, or denied

2756 any right or privilege, including, but not limited to, being subject to any  
2757 disciplinary action by a professional licensing board, for the palliative  
2758 use of marijuana if:

2759 (1) The qualifying patient's physician or advanced practice registered  
2760 nurse has issued a written certification to the qualifying patient for the  
2761 palliative use of marijuana after the physician or advanced practice  
2762 registered nurse has prescribed, or determined it is not in the best  
2763 interest of the patient to prescribe, prescription drugs to address the  
2764 symptoms or effects for which the certification is being issued;

2765 (2) The combined amount of marijuana possessed by the qualifying  
2766 patient and the [primary] caregiver for palliative use does not exceed  
2767 [an amount of usable marijuana reasonably necessary to ensure  
2768 uninterrupted availability for a period of one month, as determined by  
2769 the Department of Consumer Protection pursuant to regulations  
2770 adopted under section 21a-408m; and] five ounces;

2771 (3) The qualifying patient has not more than one [primary] caregiver  
2772 at any time; and

2773 (4) Any cannabis plants grown by the qualifying patient in his or  
2774 home is in compliance with subsection (b) of section 21a-408d, as  
2775 amended by this act, and any applicable regulations.

2776 (b) The provisions of subsection (a) of this section do not apply to:

2777 (1) Any palliative use of marijuana that endangers the health or well-  
2778 being of a person other than the qualifying patient or the [primary]  
2779 caregiver; or

2780 (2) The ingestion of marijuana (A) in a motor bus or a school bus or  
2781 in any other moving vehicle, (B) in the workplace, (C) on any school  
2782 grounds or any public or private school, dormitory, college or university  
2783 property, unless such college or university is participating in a research  
2784 program and such use is pursuant to the terms of the research program,  
2785 (D) in any public place, or (E) in the presence of a person under the age

2786 of eighteen, unless such person is a qualifying patient or research  
2787 program subject. For the purposes of this subdivision, (i) "presence"  
2788 means within the direct line of sight of the palliative use of marijuana or  
2789 exposure to second-hand marijuana smoke, or both; (ii) "public place"  
2790 means any area that is used or held out for use by the public whether  
2791 owned or operated by public or private interests; (iii) "vehicle" means a  
2792 vehicle, as defined in section 14-1; (iv) "motor bus" means a motor bus,  
2793 as defined in section 14-1; and (v) "school bus" means a school bus, as  
2794 defined in section 14-1.

2795 Sec. 68. Section 21a-408b of the general statutes is repealed and the  
2796 following is substituted in lieu thereof (*Effective July 1, 2021*):

2797 (a) No person may serve as a [primary] caregiver for a qualifying  
2798 patient (1) unless such qualifying patient has a valid registration  
2799 certificate from the Department of Consumer Protection pursuant to  
2800 subsection (a) of section 21a-408d, as amended by this act, and (2) if such  
2801 person has been convicted of a violation of any law pertaining to the  
2802 illegal manufacture, sale or distribution of a controlled substance. A  
2803 [primary] caregiver may not be responsible for the care of more than one  
2804 qualifying patient at any time, except that a [primary] caregiver may be  
2805 responsible for the care of more than one qualifying patient if the  
2806 [primary] caregiver and each qualifying patient have a parental,  
2807 guardianship, conservatorship or sibling relationship.

2808 (b) A [primary] caregiver who has a valid registration certificate from  
2809 the Department of Consumer Protection pursuant to subsection (a) of  
2810 section 21a-408d, as amended by this act, and complies with the  
2811 requirements of sections 21a-408 to [21a-408n] 21a-408m, as amended by  
2812 this act, inclusive, shall not be subject to arrest or prosecution, penalized  
2813 in any manner, including, but not limited to, being subject to any civil  
2814 penalty, or denied any right or privilege, including, but not limited to,  
2815 being subject to any disciplinary action by a professional licensing  
2816 board, for the acquisition, distribution, possession or transportation of  
2817 marijuana or paraphernalia related to marijuana on behalf of such  
2818 [primary] caregiver's qualifying patient, provided [(1)] the amount of

any marijuana so acquired, distributed, possessed or transported, together with the combined amount of usable marijuana possessed by the qualifying patient and the [primary] caregiver, does not exceed [an amount reasonably necessary to ensure uninterrupted availability for a period of one month, as determined by the Department of Consumer Protection pursuant to regulations adopted under section 21a-408m, and (2) such amount is obtained solely within this state from a licensed dispensary. Any person with a valid registration certificate who is found to be in possession of marijuana that did not originate from the selected dispensary may be subject to a hearing before the commissioner for possible enforcement action concerning the registration certificate issued by the department] five ounces. For the purposes of this subsection, ["distribution" or "distributed"] "distribution" or "distributed" means the transfer of marijuana and paraphernalia related to marijuana from the [primary] caregiver to the qualifying patient.

(c) A dispensary facility shall not dispense any marijuana product in a smokable, inhalable or vaporizable form to a [primary] caregiver for a qualifying patient who is under eighteen years of age.

Sec. 69. Section 21a-408c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2021*):

(a) A physician or an advanced practice registered nurse may issue a written certification to a qualifying patient that authorizes the palliative use of marijuana by the qualifying patient. Such written certification shall be in the form prescribed by the Department of Consumer Protection and shall include a statement signed and dated by the qualifying patient's physician or advanced practice registered nurse stating that, in such physician's or advanced practice registered nurse's professional opinion, the qualifying patient has a debilitating medical condition and the potential benefits of the palliative use of marijuana would likely outweigh the health risks of such use to the qualifying patient.

(b) Any written certification for the palliative use of marijuana issued

2851 by a physician or an advanced practice registered nurse under  
2852 subsection (a) of this section shall be valid for a period not to exceed one  
2853 year from the date such written certification is signed and dated by the  
2854 physician or advanced practice registered nurse. Not later than ten  
2855 calendar days after the expiration of such period, or at any time before  
2856 the expiration of such period should the qualifying patient no longer  
2857 wish to possess marijuana for palliative use, the qualifying patient or  
2858 the [primary] caregiver shall destroy all usable marijuana possessed by  
2859 the qualifying patient and the [primary] caregiver for palliative use.

2860 (c) A physician or an advanced practice registered nurse shall not be  
2861 subject to arrest or prosecution, penalized in any manner, including, but  
2862 not limited to, being subject to any civil penalty, or denied any right or  
2863 privilege, including, but not limited to, being subject to any disciplinary  
2864 action by the Connecticut Medical Examining Board, the Connecticut  
2865 State Board of Examiners for Nursing or other professional licensing  
2866 board, for providing a written certification for the palliative use of  
2867 marijuana under subdivision (1) of subsection (a) of section 21a-408a if:

2868 (1) The physician or advanced practice registered nurse has  
2869 diagnosed the qualifying patient as having a debilitating medical  
2870 condition;

2871 (2) The physician or advanced practice registered nurse has explained  
2872 the potential risks and benefits of the palliative use of marijuana to the  
2873 qualifying patient and, if the qualifying patient lacks legal capacity, to a  
2874 parent, guardian or person having legal custody of the qualifying  
2875 patient;

2876 (3) The written certification issued by the physician or advanced  
2877 practice registered nurse is based upon the physician's or advanced  
2878 practice registered nurse's professional opinion after having completed  
2879 a medically reasonable assessment of the qualifying patient's medical  
2880 history and current medical condition made in the course of a bona fide  
2881 health care professional-patient relationship; and

2882 (4) The physician or advanced practice registered nurse has no  
2883 financial interest in a [dispensary licensed under section 21a-408h or a  
2884 producer licensed under section 21a-408i] cannabis establishment, as  
2885 defined in section 1 of this act, except for retailers and delivery services,  
2886 as such terms are defined in section 1 of this act.

2887 (d) A nurse shall not be subject to arrest or prosecution, penalized in  
2888 any manner, including, but not limited to, being subject to any civil  
2889 penalty, or denied any right or privilege, including, but not limited to,  
2890 being subject to any disciplinary action by the Board of Examiners for  
2891 Nursing, or other professional licensing board, for administering  
2892 marijuana to a qualifying patient or research program subject in a  
2893 hospital or health care facility licensed by the Department of Public  
2894 Health.

2895 (e) Notwithstanding the provisions of this section, sections 21a-408 to  
2896 21a-408b, inclusive, and sections 21a-408d to 21a-408o, inclusive, as  
2897 amended by this act, an advanced practice registered nurse shall not  
2898 issue a written certification to a qualifying patient when the qualifying  
2899 patient's debilitating medical condition is glaucoma.

2900 Sec. 70. Section 21a-408d of the general statutes is repealed and the  
2901 following is substituted in lieu thereof (*Effective October 1, 2021*):

2902 (a) Each qualifying patient who is issued a written certification for the  
2903 palliative use of marijuana under subdivision (1) of subsection (a) of  
2904 section 21a-408a, as amended by this act, and the [primary] caregiver of  
2905 such qualifying patient, shall register with the Department of Consumer  
2906 Protection. Such registration shall be effective from the date the  
2907 Department of Consumer Protection issues a certificate of registration  
2908 until the expiration of the written certification issued by the physician  
2909 or advanced practice registered nurse. The qualifying patient and the  
2910 [primary] caregiver shall provide sufficient identifying information, as  
2911 determined by the department, to establish the personal identity of the  
2912 qualifying patient and the [primary] caregiver. If the qualifying patient  
2913 is under eighteen years of age and not an emancipated minor, the

2914 custodial parent, guardian or other person having legal custody of the  
2915 qualifying patient shall also provide a letter from both the qualifying  
2916 patient's [primary] care provider and a physician who is board certified  
2917 in an area of medicine involved in the treatment of the debilitating  
2918 condition for which the qualifying patient was certified that confirms  
2919 that the palliative use of marijuana is in the best interest of the qualifying  
2920 patient. A physician may issue a written certification for the palliative  
2921 use of marijuana by a qualifying patient who is under eighteen years of  
2922 age, provided such written certification shall not be for marijuana in a  
2923 dosage form that requires that the marijuana be smoked, inhaled or  
2924 vaporized. The qualifying patient or the [primary] caregiver shall report  
2925 any change in the identifying information to the department not later  
2926 than five business days after such change. The department shall issue a  
2927 registration certificate to the qualifying patient and to the [primary]  
2928 caregiver and may charge a reasonable fee, not to exceed twenty-five  
2929 dollars, for each registration certificate issued under this subsection.  
2930 Any registration fees collected by the department under this subsection  
2931 shall be paid to the State Treasurer and credited to the General Fund.

2932 [(b) The qualifying patient, or, if the qualifying patient is under  
2933 eighteen years of age and not an emancipated minor, the custodial  
2934 parent, guardian or other person having legal custody of the qualifying  
2935 patient, shall select a licensed, in-state dispensary to obtain the palliative  
2936 marijuana products at the time of registration. Upon the issuance of the  
2937 certificate of registration by the department, the qualifying patient, or  
2938 the qualifying patient's custodial parent, guardian or other person  
2939 having legal custody of the qualifying patient, shall purchase such  
2940 palliative marijuana products from such dispensary, except that the  
2941 qualifying patient, or the qualifying patient's custodial parent, guardian  
2942 or other person having legal custody of the qualifying patient, may  
2943 change such dispensary in accordance with regulations adopted by the  
2944 department. Any person with a valid registration certificate who is  
2945 found to be in possession of marijuana that did not originate from the  
2946 selected dispensary may be subject to hearing before the commissioner  
2947 for possible enforcement action concerning the registration certificate

2948 issued by the department.]

2949       **(b) On and after May 4, 2022, a qualifying patient may cultivate up to**  
2950 **six cannabis plants in the patient's home, provided such plants are**  
2951 **secure from unauthorized access or access by any individual under**  
2952 **twenty-one years of age;**

2953       (c) A dispensary shall not dispense any marijuana products in a  
2954 smokable, inhalable or vaporizable form to a qualifying patient who is  
2955 under eighteen years of age or such qualifying patient's caregiver.

2956       (d) Information obtained under this section shall be confidential and  
2957 shall not be subject to disclosure under the Freedom of Information Act,  
2958 as defined in section 1-200, except that reasonable access to registry  
2959 information obtained under this section [and temporary registration  
2960 information obtained under section 21a-408n] shall be provided to: (1)  
2961 State agencies, federal agencies and local law enforcement agencies for  
2962 the purpose of investigating or prosecuting a violation of law; (2)  
2963 physicians, advanced practice registered nurses and pharmacists for the  
2964 purpose of providing patient care and drug therapy management and  
2965 monitoring controlled substances obtained by the qualifying patient; (3)  
2966 public or private entities for research or educational purposes, provided  
2967 no individually identifiable health information may be disclosed; (4) a  
2968 licensed dispensary for the purpose of complying with sections 21a-408  
2969 to [21a-408n] 21a-408m, inclusive, as amended by this act; (5) a  
2970 qualifying patient, but only with respect to information related to such  
2971 qualifying patient or such qualifying patient's [primary] caregiver; or (6)  
2972 a [primary] caregiver, but only with respect to information related to  
2973 such [primary] caregiver's qualifying patient.

2974       Sec. 71. Section 21a-408f of the general statutes is repealed and the  
2975 following is substituted in lieu thereof (*Effective July 1, 2021*):

2976       Any marijuana, paraphernalia relating to marijuana, or other  
2977 property seized by law enforcement officials from a qualifying patient  
2978 or a [primary] caregiver in connection with the claimed palliative use of



2979 marijuana under sections 21a-408 to [21a-408n] 21a-408m, inclusive, as  
 2980 amended by this act, shall be returned to the qualifying patient or the  
 2981 [primary] caregiver immediately upon the determination by a court that  
 2982 the qualifying patient or the [primary] caregiver is entitled to the  
 2983 palliative use of marijuana under sections 21a-408 to [21a-408n] 21a-  
 2984 408m, inclusive, as amended by this act, as evidenced by a decision not  
 2985 to prosecute, a dismissal of charges or an acquittal. The provisions of  
 2986 this section do not apply to any qualifying patient or [primary] caregiver  
 2987 who fails to comply with the requirements for the palliative use of  
 2988 marijuana under sections 21a-408 to [21a-408n] 21a-408m, inclusive, as  
 2989 amended by this act.

2990 Sec. 72. Section 21a-408h of the general statutes is repealed and the  
 2991 following is substituted in lieu thereof (*Effective July 1, 2021*):

2992 (a) No person may act as a dispensary or represent that such person  
 2993 is a licensed dispensary unless such person has obtained a license from  
 2994 the Commissioner of Consumer Protection pursuant to this section.

2995 (b) No person may act as a dispensary facility or represent that such  
 2996 person is a licensed dispensary facility unless such person has obtained  
 2997 a license from the Commissioner of Consumer Protection pursuant to  
 2998 this section.

2999 [(b)] (c) The Commissioner of Consumer Protection shall determine  
 3000 the number of [dispensaries] dispensary facilities appropriate to meet  
 3001 the needs of qualifying patients in this state and shall adopt regulations,  
 3002 in accordance with chapter 54, to provide for the licensure and  
 3003 standards for [dispensaries] dispensary facilities in this state and specify  
 3004 the maximum number of [dispensaries] dispensary facilities that may  
 3005 be licensed in this state. On and after the effective date of such  
 3006 regulations, the commissioner may license any person who applies for  
 3007 a license in accordance with such regulations, provided [(1)] the  
 3008 commissioner deems such applicant qualified to acquire, possess,  
 3009 distribute and dispense marijuana pursuant to sections 21a-408 to [21a-  
 3010 408n] 21a-408m, inclusive, as amended by this act. [, (2) the applicant is

3011 a pharmacist licensed under chapter 400j, and (3) the number of  
3012 dispensary licenses issued does not exceed the number appropriate to  
3013 meet the needs of qualifying patients in this state, as determined by the  
3014 commissioner pursuant to this subsection.] At a minimum, such  
3015 regulations shall:

3016       [(A)] (1) Indicate the maximum number of [dispensaries] dispensary  
3017 facilities that may be licensed in this state;

3018       [(B)] Provide that only a pharmacist licensed under chapter 400j may  
3019 apply for and receive a dispensary license;]

3020       [(C)] (2) Provide that no marijuana may be dispensed from, obtained  
3021 from or transferred to a location outside of this state;

3022       [(D)] (3) Establish a licensing fee and renewal fee for each [licensed]  
3023 dispensary facility, provided such fees shall not be less than the amount  
3024 necessary to cover the direct and indirect cost of licensing and  
3025 regulating [dispensaries] dispensary facilities pursuant to sections 21a-  
3026 408 to [21a-408n] 21a-408m, inclusive, as amended by this act;

3027       [(E)] (4) Provide for renewal of such dispensary facility licenses at  
3028 least every two years;

3029       [(F)] (5) Describe areas in this state where [licensed dispensaries]  
3030 dispensary facilities may not be located, after considering the criteria for  
3031 the location of retail liquor permit premises set forth in subsection (a) of  
3032 section 30-46;

3033       [(G)] (6) Establish health, safety and security requirements for  
3034 [licensed dispensaries] dispensary facilities, which may include, but  
3035 need not be limited to: [(i)] (A) The ability to maintain adequate control  
3036 against the diversion, theft and loss of marijuana acquired or possessed  
3037 by the [licensed] dispensary facility, and [(ii)] (B) the ability to maintain  
3038 the knowledge, understanding, judgment, procedures, security controls  
3039 and ethics to ensure optimal safety and accuracy in the distributing,  
3040 dispensing and use of palliative marijuana;

3041        [(H)] (7) Establish standards and procedures for revocation,  
3042 suspension, summary suspension and nonrenewal of dispensary facility  
3043 licenses, provided such standards and procedures are consistent with  
3044 the provisions of subsection (c) of section 4-182; and

3045        [(I)] (8) Establish other licensing, renewal and operational standards  
3046 deemed necessary by the commissioner.

3047        [(c)] (d) Any fees collected by the Department of Consumer  
3048 Protection under this section shall be paid to the State Treasurer and  
3049 credited to the General Fund.

3050        [(d)] (e) On or before January 1, 2017, and annually thereafter, each  
3051 [licensed] dispensary facility shall report data to the Department of  
3052 Consumer Protection relating to the types, mixtures and dosages of  
3053 palliative marijuana dispensed by such dispensary facility. A report  
3054 prepared pursuant to this subsection shall be in such form as may be  
3055 prescribed by the Commissioner of Consumer Protection.

3056        Sec. 73. Section 21a-408j of the general statutes is repealed and the  
3057 following is substituted in lieu thereof (*Effective October 1, 2021*):

3058        (a) No [licensed] dispensary facility or employee of the dispensary  
3059 facility may: (1) Acquire marijuana from a person other than a licensed  
3060 producer [; (2) distribute or dispense] or from a cultivator, micro-  
3061 cultivator, producer product manufacturer, food and beverage  
3062 manufacturer, product packager, or delivery service, as such terms are  
3063 defined in section 1 of this act; (2) transfer or transport marijuana; (3)  
3064 transfer or transport marijuana to a person who is not (A) a qualifying  
3065 patient registered under section 21a-408d, as amended by this act; [or  
3066 21a-408n;] (B) a [primary] caregiver of such qualifying patient; (C) a  
3067 hospice or other inpatient care facility licensed by the Department of  
3068 Public Health pursuant to chapter 368v that has a protocol for the  
3069 handling and distribution of marijuana that has been approved by the  
3070 Department of Consumer Protection; (D) a laboratory; [or] (E) an  
3071 organization engaged in a research program; or (F) a delivery service, as

3072 defined in section 1 of this act; or [(3)] (4) obtain or transport marijuana  
3073 outside of this state in violation of state or federal law.

3074 (b) No [licensed] dispensary or employee of the dispensary facility  
3075 acting within the scope of his or her employment shall be subject to  
3076 arrest or prosecution [.] or penalized in any manner, including, but not  
3077 limited to, being subject to any civil penalty, or denied any right or  
3078 privilege, including, but not limited to, being subject to any disciplinary  
3079 action by a professional licensing board, for acquiring, possessing,  
3080 distributing or dispensing marijuana pursuant to sections 21a-408 to  
3081 [21a-408n] 21a-408m, inclusive, as amended by this act.

3082 Sec. 74. Section 21a-408k of the general statutes is repealed and the  
3083 following is substituted in lieu thereof (*Effective July 1, 2021*):

3084 (a) No licensed producer or employee of the producer may: (1) Sell,  
3085 deliver, transport or distribute marijuana to a person who is not (A) a  
3086 [licensed dispensary] cannabis establishment, as defined in section 1 of  
3087 this act, (B) a laboratory, or (C) an organization engaged in a research  
3088 program, or (2) obtain or transport marijuana outside of this state in  
3089 violation of state or federal law.

3090 (b) No licensed producer or employee of the producer acting within  
3091 the scope of his or her employment shall be subject to arrest or  
3092 prosecution [.] or penalized in any manner, including, but not limited  
3093 to, being subject to any civil penalty, or denied any right or privilege,  
3094 including, but not limited to, being subject to any disciplinary action by  
3095 a professional licensing board, for cultivating marijuana or selling,  
3096 delivering, transferring, transporting or distributing marijuana to  
3097 [licensed dispensaries under sections 21a-408 to 21a-408n, inclusive] a  
3098 cannabis establishment, laboratory or research program, as such terms  
3099 are defined in section 1 of this act.

3100 Sec. 75. Section 21a-408m of the general statutes is repealed and the  
3101 following is substituted in lieu thereof (*Effective October 1, 2021*):

3102 (a) The Commissioner of Consumer Protection may adopt

3103 regulations, in accordance with chapter 54, to establish (1) a standard  
3104 form for written certifications for the palliative use of marijuana issued  
3105 by physicians and advanced practice registered nurses under  
3106 subdivision (1) of subsection (a) of section 21a-408a, as amended by this  
3107 act, and (2) procedures for registrations under section 21a-408d, as  
3108 amended by this act. Such regulations, if any, shall be adopted after  
3109 consultation with the Board of Physicians established in section 21a-  
3110 408l, as amended by this act.

3111 (b) The Commissioner of Consumer Protection shall adopt  
3112 regulations, in accordance with chapter 54, to establish a reasonable fee  
3113 to be collected from each qualifying patient to whom a written  
3114 certification for the palliative use of marijuana is issued under  
3115 subdivision (1) of subsection (a) of section 21a-408a, as amended by this  
3116 act, for the purpose of offsetting the direct and indirect costs of  
3117 administering the provisions of sections 21a-408 to [21a-408n] 21a-408m,  
3118 inclusive, as amended by this act. The commissioner shall collect such  
3119 fee at the time the qualifying patient registers with the Department of  
3120 Consumer Protection under subsection (a) of section 21a-408d, as  
3121 amended by this act. Such fee shall be in addition to any registration fee  
3122 that may be charged under said subsection. The fees required to be  
3123 collected by the commissioner from qualifying patients under this  
3124 subsection shall be paid to the State Treasurer and credited to the  
3125 General Fund.

3126 (c) The Commissioner of Consumer Protection shall adopt  
3127 [regulations, in accordance with chapter 54, to implement the provisions  
3128 of sections 21a-408 to 21a-408g, inclusive, and section 21a-408l. At a  
3129 minimum, such regulations shall] or amend regulations, as applicable,  
3130 in accordance with chapter 54, to implement the provisions of sections  
3131 21a-408 to 21a-408g, inclusive, as amended by this act, and section 21a-  
3132 408l, as amended by this act. Notwithstanding the requirements of  
3133 sections 4-168 to 4-172, inclusive, in order to effectuate the purposes of  
3134 sections 21a-408 to 21a-408g, inclusive, as amended by this act, and  
3135 section 21a-408l, as amended by this act, and protect public health and

3136 safety, prior to adopting or amending such regulations the  
3137 commissioner shall adopt policies and procedures to implement the  
3138 provisions of sections 21a-408 to 21a-408g, inclusive, and section 21a-  
3139 408l, as amended by this act, that shall have the force and effect of law.  
3140 The commissioner shall post all policies and procedures on the  
3141 department's Internet web site, and submit such policies and  
3142 procedures to the Secretary of the State for posting on the eRegulations  
3143 System, at least fifteen days prior to the effective date of any policy or  
3144 procedure. Any such policy or procedure shall no longer be effective  
3145 upon the earlier of either adoption of such policies or procedures as a  
3146 final regulation pursuant to section 4-172 or forty-eight months from  
3147 October 1, 2021, if such policies or procedures have not been submitted  
3148 to the legislative regulation review committee for consideration under  
3149 section 4-170. Such policies and procedures and regulations shall  
3150 include, but not be limited to, how the department shall:

3151 (1) [Govern the manner in which the department considers] Accept  
3152 applications for the issuance and renewal of registration certificates for  
3153 qualifying patients and [primary] caregivers; [, and establish any  
3154 additional information to be contained in such registration certificates;]

3155 [(2) Define the protocols for determining the amount of usable  
3156 marijuana that is necessary to constitute an adequate supply to ensure  
3157 uninterrupted availability for a period of one month, including amounts  
3158 for topical treatments;]

3159 [(3)] (2) Establish criteria for adding medical conditions, medical  
3160 treatments or diseases to the list of debilitating medical conditions that  
3161 qualify for the palliative use of marijuana;

3162 [(4)] (3) Establish a petition process under which members of the  
3163 public may submit petitions, [in such manner and in such form as  
3164 prescribed in the regulations,] regarding the addition of medical  
3165 conditions, medical treatments or diseases to the list of debilitating  
3166 medical conditions;

3167 [(5) Establish a process for public comment and public hearings  
3168 before the board regarding the addition of medical conditions, medical  
3169 treatments or diseases to the list of debilitating medical conditions,  
3170 medical treatments or diseases;

3171 (6) Add additional medical conditions, medical treatments or  
3172 diseases to the list of debilitating medical conditions that qualify for the  
3173 palliative use of marijuana as recommended by the board; and]

3174 (4) Establish requirements for the growing of cannabis plants by a  
3175 qualifying patient in his or her home as authorized under section 21a-  
3176 408d, as amended by this act, including requirements for securing such  
3177 plants to limit unauthorized access, the location of such plants and any  
3178 other requirements related to public safety or public health;

3179 [(7)] (5) Develop a distribution system for marijuana for palliative use  
3180 that provides for:

3181 (A) Marijuana production facilities within this state that are housed  
3182 on secured grounds and operated by licensed producers; [and]

3183 (B) The transfer of marijuana between dispensary facilities; and

3184 [(B)] (C) Distribution of marijuana for palliative use to qualifying  
3185 patients or their [primary] caregivers by [licensed dispensaries.]  
3186 dispensary facilities, hybrid retailers and delivery services, as such  
3187 terms are defined in section 1 of this act; and

3188 (6) Ensure an adequate supply and variety of marijuana to dispensary  
3189 facilities and hybrid retailers to ensure uninterrupted availability for  
3190 qualifying patients, based on historical marijuana purchase patterns by  
3191 qualifying patients.

3192 [(d) The commissioner shall submit regulations pursuant to  
3193 subsections (b) and (c) of this section to the standing legislative  
3194 regulation review committee not later than July 1, 2013.]

3195 Sec. 76. Section 21a-408l of the general statutes is repealed and the  
3196 following is substituted in lieu thereof (*Effective October 1, 2021*):

3197 (a) The Commissioner of Consumer Protection shall establish a Board  
3198 of Physicians consisting of eight physicians or surgeons who are  
3199 knowledgeable about the palliative use of marijuana and certified by the  
3200 appropriate American board in the medical specialty in which they  
3201 practice, at least one of whom shall be a board certified pediatrician  
3202 appointed in consultation with the Connecticut Chapter of the  
3203 American Academy of Pediatrics. Four of the members of the board first  
3204 appointed shall serve for a term of three years and four of the members  
3205 of the board first appointed shall serve for a term of four years.  
3206 Thereafter, members of the board shall serve for a term of four years and  
3207 shall be eligible for reappointment. Any member of the board may serve  
3208 until a successor is appointed. The Commissioner of Consumer  
3209 Protection shall serve as an ex-officio member of the board, and shall  
3210 select a chairperson from among the members of the board.

3211 (b) A quorum of the Board of Physicians shall consist of four  
3212 members.

3213 (c) The Board of Physicians shall:

3214 (1) Review and recommend to the Department of Consumer  
3215 Protection for approval the debilitating medical conditions, medical  
3216 treatments or diseases to be added to the list of debilitating medical  
3217 conditions that qualify for the palliative use of marijuana for qualifying  
3218 patients eighteen years of age or older;

3219 (2) Review and recommend to the Department of Consumer  
3220 Protection for approval any illnesses that are severely debilitating, as  
3221 defined in 21 CFR 312.81(b), to be added to the list of debilitating  
3222 medical conditions that qualify for the palliative use of marijuana for  
3223 qualifying patients under eighteen years of age, taking into account,  
3224 among other things, the effect of the palliative use of marijuana on the  
3225 brain development of such patients, which recommendations shall be



3226 accepted or rejected by the commissioner in his or her discretion;

3227 (3) Accept and review petitions to add medical conditions, medical  
3228 treatments or diseases to the list of debilitating medical conditions that  
3229 qualify for the palliative use of marijuana;

3230 (4) Convene [at least twice per year] as necessary to conduct public  
3231 hearings and to evaluate petitions, which shall be maintained as  
3232 confidential pursuant to subsection (e) of this section, for the purpose of  
3233 adding medical conditions, medical treatments or diseases to the list of  
3234 debilitating medical conditions that qualify for the palliative use of  
3235 marijuana;

3236 (5) Review and recommend to the Department of Consumer  
3237 Protection protocols for determining the amounts of marijuana that may  
3238 be reasonably necessary to ensure uninterrupted availability for a  
3239 period of one month for qualifying patients, including amounts for  
3240 topical treatments; and

3241 (6) Perform other duties related to the palliative use of marijuana  
3242 upon the request of the Commissioner of Consumer Protection.

3243 (d) The Board of Physicians may review the list of debilitating  
3244 medical conditions that qualify for the palliative use of marijuana and  
3245 make recommendations to the joint standing committees of the General  
3246 Assembly having cognizance of matters relating to general law and  
3247 public health for the removal of a debilitating medical condition,  
3248 medical treatment or disease from such list.

3249 (e) Any individually identifiable health information contained in a  
3250 petition received under this section shall be confidential and shall not  
3251 be subject to disclosure under the Freedom of Information Act, as  
3252 defined in section 1-200.

3253 (f) On and after October 1, 2021, conditions added pursuant to this  
3254 section to the list of debilitating medical conditions that qualify for the  
3255 palliative use of marijuana shall be posted by the commissioner on the

3256 Department of Consumer Protection's Internet web site.  
3257 Notwithstanding the requirements of sections 4-168 to 4-172, inclusive,  
3258 the list of debilitating medical conditions that qualify for the palliative  
3259 use of marijuana shall be deemed approved and effective without  
3260 further action as of the date such conditions are posted on the  
3261 Department of Consumer Protection's Internet web site.

3262 Sec. 77. Section 21a-408p of the general statutes is repealed and the  
3263 following is substituted in lieu thereof (*Effective July 1, 2021*):

3264 (a) For the purposes of this section:

3265 (1) "Action" has the meaning provided in section 47a-1;

3266 (2) "Dwelling unit" has the meaning provided in section 47a-1;

3267 (3) "Employer" means a person engaged in business who has one or  
3268 more employees, including the state and any political subdivision of the  
3269 state;

3270 (4) "Landlord" has the meaning provided in section 47a-1;

3271 (5) "Palliative use" has the meaning provided in section 21a-408, as  
3272 amended by this act;

3273 (6) ["Primary caregiver"] "Caregiver" has the meaning provided in  
3274 section 21a-408, as amended by this act;

3275 (7) "Qualifying patient" has the meaning provided in section 21a-408,  
3276 as amended by this act;

3277 (8) "School" means a public or private elementary or secondary school  
3278 in this state or a public or private institution of higher education in this  
3279 state; and

3280 (9) "Tenant" has the meaning provided in section 47a-1.

3281 (b) Unless required by federal law or required to obtain federal

3282 funding:

3283 (1) No school may refuse to enroll any person or discriminate against  
3284 any student solely on the basis of such person's or student's status as a  
3285 qualifying patient or [primary] caregiver under sections 21a-408 to [21a-  
3286 408n] 21a-408m, inclusive, as amended by this act;

3287 (2) No landlord may refuse to rent a dwelling unit to a person or take  
3288 action against a tenant solely on the basis of such person's or tenant's  
3289 status as a qualifying patient or [primary] caregiver under sections 21a-  
3290 408 to [21a-408n] 21a-408m, inclusive, as amended by this act; and

3291 (3) No employer may refuse to hire a person or may discharge,  
3292 penalize or threaten an employee solely on the basis of such person's or  
3293 employee's status as a qualifying patient or [primary] caregiver under  
3294 sections 21a-408 to [21a-408n] 21a-408m, inclusive, as amended by this  
3295 act. Nothing in this subdivision shall restrict an employer's ability to  
3296 prohibit the use of intoxicating substances during work hours or restrict  
3297 an employer's ability to discipline an employee for being under the  
3298 influence of intoxicating substances during work hours.

3299 (c) Nothing in this section shall be construed to permit the palliative  
3300 use of marijuana in violation of subsection (b) of section 21a-408a, as  
3301 amended by this act.

3302 Sec. 78. Section 21a-408r of the general statutes is repealed and the  
3303 following is substituted in lieu thereof (*Effective October 1, 2021*):

3304 (a) No person may act as a laboratory or represent that such person  
3305 is a laboratory unless such person has (1) obtained a license from the  
3306 Commissioner of Consumer Protection pursuant to this section, or (2)  
3307 (A) been granted approval by the Commissioner of Consumer  
3308 Protection as of October 1, 2021, and (B) submitted an application to the  
3309 Commissioner of Consumer Protection for licensure pursuant to this  
3310 section in a form and manner prescribed by the commissioner. Such  
3311 person may continue to act as a laboratory until such application for  
3312 licensure under this section is approved or denied by the Commissioner

3313 of Consumer Protection.

3314        [(a)] ~~(b)~~ Except as provided in subsection [(b)] ~~(c)~~ of this section, no  
3315 person may act as a laboratory employee or represent that such person  
3316 is a [licensed] laboratory employee unless such person has obtained a  
3317 [license] registration from the Commissioner of Consumer Protection  
3318 pursuant to this section.

3319        [(b)] ~~(c)~~ Prior to the effective date of regulations adopted under this  
3320 section, the Commissioner of Consumer Protection may issue a  
3321 temporary certificate of registration to a laboratory employee. The  
3322 commissioner shall prescribe the standards, procedures and fees for  
3323 obtaining a temporary certificate of registration as a laboratory  
3324 employee.

3325        [(c)] ~~(d)~~ The Commissioner of Consumer Protection shall adopt  
3326 regulations, in accordance with chapter 54, to (1) provide for the  
3327 licensure or registration of laboratories and laboratory employees, (2)  
3328 establish standards and procedures for the revocation, suspension,  
3329 summary suspension and nonrenewal of laboratory license and  
3330 laboratory employee [licenses] registrations, provided such standards  
3331 and procedures are consistent with the provisions of subsection (c) of  
3332 section 4-182, (3) establish a license [and] or registration renewal fee for  
3333 each licensed laboratory and [licensed] registered laboratory employee,  
3334 provided the aggregate amount of such license, registration and renewal  
3335 fees shall not be less than the amount necessary to cover the direct and  
3336 indirect cost of licensing, registering and regulating laboratories and  
3337 laboratory employees in accordance with the provisions of this chapter,  
3338 and (4) establish other licensing, registration, renewal and operational  
3339 standards deemed necessary by the commissioner.

3340        [(d)] ~~(e)~~ Any fees collected by the Department of Consumer  
3341 Protection under this section shall be paid to the State Treasurer and  
3342 credited to the General Fund.

3343        Sec. 79. Section 21a-408t of the general statutes is repealed and the

3344 following is substituted in lieu thereof (*Effective July 1, 2021*):

3345 (a) The Commissioner of Consumer Protection may approve a  
3346 research program if such research program will (1) be administered or  
3347 overseen by (A) a hospital or health care facility licensed by the  
3348 Connecticut Department of Public Health pursuant to chapter 368v, (B)  
3349 an institution of higher education, as defined in section 10a-55, (C) a  
3350 licensed producer, micro-cultivator, cultivator, food and beverage  
3351 manufacturer product packager or product manufacturer, as such terms  
3352 are defined in section 1 of this act, or (D) a [licensed] dispensary facility,  
3353 hybrid retailer or retailer, as such terms are defined in section 1 of this  
3354 act, and (2) have institutional review board oversight and, if the research  
3355 program involves the use of animals, have an institutional animal care  
3356 and use committee.

3357 (b) Except as provided in subsection (c) of this section, no person may  
3358 act as a research program employee or represent that such person is a  
3359 [licensed] registered research program employee unless such person has  
3360 obtained a [license] registration from the Commissioner of Consumer  
3361 Protection pursuant to this section.

3362 [(c) Prior to the effective date of regulations adopted under this  
3363 section, the Commissioner of Consumer Protection may issue a  
3364 temporary certificate of registration to a research program employee.  
3365 The commissioner shall prescribe the standards, procedures and fees for  
3366 obtaining a temporary certificate of registration as a research program  
3367 employee.]

3368 [(d)] (c) The Commissioner of Consumer Protection shall adopt  
3369 regulations, in accordance with chapter 54, to (1) provide for the  
3370 approval of research programs and [licensure] registration of research  
3371 program employees, (2) establish standards and procedures for the  
3372 termination or suspension of a research program, (3) establish standards  
3373 and procedures for the revocation, suspension, summary suspension  
3374 and nonrenewal of a research program employee [license] registration,  
3375 provided such standards and procedures are consistent with the

3376 provisions of subsection (c) of section 4-182, (4) establish a (A) fee for  
3377 research program review and approval, and (B) [license] registration  
3378 and renewal fee for each research program employee, provided the  
3379 aggregate amount of such fees shall not be less than the amount  
3380 necessary to cover the direct and indirect cost of approving research  
3381 programs and [licensing] registering and regulating research program  
3382 employees pursuant to the provisions of this chapter, and (5) establish  
3383 other licensing, registration, renewal and operational standards deemed  
3384 necessary by the commissioner.

3385 [(e)] (d) Any fees collected by the Department of Consumer  
3386 Protection under this section shall be paid to the State Treasurer and  
3387 credited to the General Fund.

3388 Sec. 80. Section 21a-408s of the general statutes is repealed and the  
3389 following is substituted in lieu thereof (*Effective July 1, 2021*):

3390 (a) As used in this section, "cannabis" and "cannabis establishment  
3391 have the same meanings as provided in section 1 of this act. No  
3392 laboratory or laboratory employee may (1) acquire [marijuana] cannabis  
3393 from a person other than a [licensed producer, licensed dispensary]  
3394 cannabis establishment or an organization engaged in a research  
3395 program, (2) deliver, transport or distribute marijuana to (A) a person  
3396 who is not a [licensed dispensary, (B) a person who is not a licensed  
3397 producer, or (C)] cannabis establishment and was not the cannabis  
3398 establishment from which the marijuana was originally acquired by the  
3399 laboratory or laboratory employee, (B) an organization not engaged in  
3400 a research program, or (3) obtain or transport marijuana outside of this  
3401 state in violation of state or federal law.

3402 (b) (1) No laboratory employee acting within the scope of his or her  
3403 employment shall be subject to arrest or prosecution, penalized in any  
3404 manner, including, but not limited to, being subject to any civil penalty,  
3405 or denied any right or privilege, including, but not limited to, being  
3406 subject to any disciplinary action by a professional licensing board, for  
3407 acquiring, possessing, delivering, transporting or distributing

3408 marijuana to a [licensed dispensary, a licensed producer] cannabis  
3409 establishment or an organization engaged in an approved research  
3410 program under the provisions of this chapter.

3411 (2) No laboratory shall be subject to prosecution, penalized in any  
3412 manner, including, but not limited to, being subject to any civil penalty  
3413 or denied any right or privilege, for acquiring, possessing, delivering,  
3414 transporting or distributing marijuana to a [licensed dispensary, a  
3415 licensed producer] cannabis establishment or an organization engaged  
3416 in an approved research program under the provisions of this chapter.

3417 (c) A laboratory shall be independent from all other persons involved  
3418 in the marijuana industry in Connecticut, which shall mean that no  
3419 person with a direct or indirect financial, managerial or controlling  
3420 interest in the laboratory shall have a direct or indirect financial,  
3421 managerial or controlling interest in a cannabis establishment or any  
3422 other entity that may benefit from the laboratory test results for a  
3423 cannabis or marijuana sample or product.

3424 (d) A laboratory shall maintain all minimum security and safeguard  
3425 requirements for the storage of handling of controlled substances as a  
3426 laboratory that is licensed to provide analysis of controlled substances  
3427 pursuant to section 21a-246 and any regulations adopted thereunder.

3428 Sec. 81. Section 21a-408u of the general statutes is repealed and the  
3429 following is substituted in lieu thereof (*Effective July 1, 2021*):

3430 (a) No research program or research program employee may (1)  
3431 acquire marijuana from a person other than a [licensed producer,  
3432 licensed dispensary] cannabis establishment, as defined in section 1 of  
3433 this act, or laboratory, (2) deliver, transport or distribute marijuana to a  
3434 person who is not (A) a [licensed dispensary] cannabis establishment,  
3435 as defined in section 1 of this act, (B) a [licensed producer] laboratory,  
3436 or (C) a research program subject, (3) distribute or administer marijuana  
3437 to an animal unless such animal is an animal research subject, or (4)  
3438 obtain or transport marijuana outside of this state in violation of state or

3439 federal law.

3440 (b) No research program employee acting within the scope of his or  
3441 her employment shall be subject to arrest or prosecution, penalized in  
3442 any manner, including, but not limited to, being subject to any civil  
3443 penalty, or denied any right or privilege, including, but not limited to,  
3444 being subject to any disciplinary action by a professional licensing  
3445 board, for acquiring, possessing, delivering, transporting or distributing  
3446 marijuana to a [licensed dispensary, a licensed producer] cannabis  
3447 establishment or laboratory, as such terms are defined in section 1 of this  
3448 act or a research program subject or distributing or administering  
3449 marijuana to an animal research subject under the provisions of this  
3450 chapter.

3451 Sec. 82. (NEW) (*Effective October 1, 2021*) A licensed pharmacist  
3452 working as an employee at a dispensary facility or hybrid retailer shall  
3453 transmit dispensing information, in a manner prescribed by the  
3454 commissioner, on any cannabis sold to a qualifying patient or caregiver  
3455 in real-time or immediately upon completion of the transaction, unless  
3456 not reasonably feasible for a specific transaction, but in no case longer  
3457 than one hour after completion of the transaction.

3458 Sec. 83. (NEW) (*Effective July 1, 2021*) (a) Any municipality may, by  
3459 amendment to such municipality's zoning regulations or zoning  
3460 ordinances, (1) prohibit the establishment of a cannabis establishment,  
3461 (2) establish reasonable restrictions regarding the hours and signage  
3462 within the limits of such municipality, (3) establish reasonable  
3463 restrictions regarding the number or density of cannabis establishments,  
3464 with no more than one retailer per every five thousand residents of such  
3465 municipality, as determined by the most recently completed decennial  
3466 census, or (4) establish restrictions on the proximity of cannabis  
3467 establishments to any of the establishments listed in subsection (a) of  
3468 subdivision (1) of section 30-46 of the general statutes. Such amendment  
3469 shall be approved by a municipality's legislative body before going into  
3470 effect. The chief zoning official of a municipality shall report, in writing,  
3471 any zoning changes adopted by the municipality regarding cannabis



3472 establishments pursuant to this subsection to the Secretary of the Office  
3473 of Policy and Management and to the department not later than  
3474 fourteen days after the adoption of such changes.

3475 (b) Unless otherwise provided for by a municipality through its  
3476 zoning regulations or ordinances, a cannabis establishment shall be  
3477 zoned as if for any other similar use, other than a cannabis  
3478 establishment, would be zoned.

3479 (c) Upon the petition of not less than ten per cent of the electors of  
3480 any municipality, lodged with the town clerk at least sixty days before  
3481 the date of any regular election, as defined in section 9-1 of the general  
3482 statutes, the selectmen of the municipality shall warn the electors of  
3483 such municipality that, at such regular election, a vote shall be taken to  
3484 determine: (1) Whether or not the recreational sale of marijuana shall be  
3485 permitted in such municipality, or (2) whether the sale of marijuana  
3486 shall be permitted in such municipality in one or more of the classes of  
3487 license of cannabis establishments. The ballot label designations in a  
3488 vote upon the question of cannabis establishment license shall be "Shall  
3489 the sale of recreational marijuana be allowed in .... (Name of  
3490 municipality)?" or "Shall the sale of cannabis under (Specified license or  
3491 Licenses) be allowed in .... (Name of municipality)?" or "Shall the sale of  
3492 recreational marijuana be prohibited (No Licenses) in .... (Name of  
3493 municipality)?" and shall be provided in accordance with the provisions  
3494 of section 9-250 of the general statutes. No elector shall vote for more  
3495 than one designation. Such vote shall be taken in the manner prescribed  
3496 in section 9-369 of the general statutes and shall become effective on the  
3497 first Monday of the month next succeeding such election and shall  
3498 remain in force until a new vote is taken; provided such vote may be  
3499 taken at a special election called for the purpose in conformity with the  
3500 provisions of section 9-164 of the general statutes and provided at least  
3501 one year shall have elapsed since the previous vote was taken. The  
3502 provisions of chapter 145 of the general statutes concerning absentee  
3503 voting at referenda shall apply to all votes taken upon the question of  
3504 cannabis establishment license. Any class of cannabis establishments

3505 already allowed in a municipality shall not be affected by any vote  
3506 unless the petition specifies "No Licenses".

3507 (d) Any restriction regarding hours, zoning and signage of a cannabis  
3508 establishment adopted by a municipality shall not apply to an existing  
3509 cannabis establishment located in such municipality if such cannabis  
3510 establishment does not convert to a different license type, for a period  
3511 of five years after the adoption of such prohibition or restriction.

3512 (e) No municipality shall prohibit delivery of cannabis or cannabis  
3513 products to a consumer, qualifying patient or caregiver when the  
3514 delivery is made by a retailer, hybrid retailer, dispensary facility,  
3515 delivery service, micro-cultivator or other person authorized to make  
3516 such delivery pursuant to RERACA. No municipality shall prohibit the  
3517 transport of cannabis or cannabis products to, from or through such  
3518 municipality by any person licensed or registered pursuant to RERACA  
3519 to transport cannabis and cannabis products.

3520 (f) No municipality or local official shall condition any official action,  
3521 or accept any donation in moneys or in kind, from any cannabis  
3522 establishment or from an individual or corporation that has applied for  
3523 a license to open or operate a cannabis establishment in such  
3524 municipality. No municipality shall negotiate or enter into a local host  
3525 agreement with a cannabis establishment or a person that has applied  
3526 for a license to open or operate a cannabis establishment in such  
3527 municipality.

3528 (g) For up to thirty days after the opening of a retailer or hybrid  
3529 retailer, a municipality may charge such retailer or hybrid retailer for  
3530 any necessary and reasonable costs incurred by the municipality for  
3531 provision of public safety services in relation to such opening, including,  
3532 but not limited to, public safety costs incurred to direct traffic, not to  
3533 exceed fifty thousand dollars.

3534 Sec. 84. Subparagraph (H) of subdivision (7) of subsection (c) of  
3535 section 7-148 of the general statutes is repealed and the following is

3536 substituted in lieu thereof (*Effective October 1, 2021*):

3537 (H) (i) Secure the safety of persons in or passing through the  
3538 municipality by regulation of shows, processions, parades and music;

3539 (ii) Regulate and prohibit the carrying on within the municipality of  
3540 any trade, manufacture, business or profession which is, or may be, so  
3541 carried on as to become prejudicial to public health, conducive to fraud  
3542 and cheating, or dangerous to, or constituting an unreasonable  
3543 annoyance to, those living or owning property in the vicinity;

3544 (iii) Regulate auctions and garage and tag sales;

3545 (iv) Prohibit, restrain, license and regulate the business of peddlers,  
3546 auctioneers and junk dealers in a manner not inconsistent with the  
3547 general statutes;

3548 (v) Regulate and prohibit swimming or bathing in the public or  
3549 exposed places within the municipality;

3550 (vi) Regulate and license the operation of amusement parks and  
3551 amusement arcades including, but not limited to, the regulation of  
3552 mechanical rides and the establishment of the hours of operation;

3553 (vii) Prohibit, restrain, license and regulate all sports, exhibitions,  
3554 public amusements and performances and all places where games may  
3555 be played;

3556 (viii) Preserve the public peace and good order, prevent and quell  
3557 riots and disorderly assemblages and prevent disturbing noises;

3558 (ix) Establish a system to obtain a more accurate registration of births,  
3559 marriages and deaths than the system provided by the general statutes  
3560 in a manner not inconsistent with the general statutes;

3561 (x) Control insect pests or plant diseases in any manner deemed  
3562 appropriate;

3563       (xi) Provide for the health of the inhabitants of the municipality and  
3564 do all things necessary or desirable to secure and promote the public  
3565 health;

3566       (xii) Regulate the use of streets, sidewalks, highways, public places  
3567 and grounds for public and private purposes;

3568       (xiii) Make and enforce police, sanitary or other similar regulations  
3569 and protect or promote the peace, safety, good government and welfare  
3570 of the municipality and its inhabitants;

3571       (xiv) Regulate, in addition to the requirements under section 7-282b,  
3572 the installation, maintenance and operation of any device or equipment  
3573 in a residence or place of business which is capable of automatically  
3574 calling and relaying recorded emergency messages to any state police  
3575 or municipal police or fire department telephone number or which is  
3576 capable of automatically calling and relaying recorded emergency  
3577 messages or other forms of emergency signals to an intermediate third  
3578 party which shall thereafter call and relay such emergency messages to  
3579 a state police or municipal police or fire department telephone number.  
3580 Such regulations may provide for penalties for the transmittal of false  
3581 alarms by such devices or equipment;

3582       (xv) Make and enforce regulations for the prevention and  
3583 remediation of housing blight, including regulations reducing  
3584 assessments and authorizing designated agents of the municipality to  
3585 enter property during reasonable hours for the purpose of remediating  
3586 blighted conditions, provided such regulations define housing blight  
3587 and require such municipality to give written notice of any violation to  
3588 the owner and occupant of the property and provide a reasonable  
3589 opportunity for the owner and occupant to remediate the blighted  
3590 conditions prior to any enforcement action being taken, and further  
3591 provided such regulations shall not authorize such municipality or its  
3592 designated agents to enter any dwelling house or structure on such  
3593 property, and including regulations establishing a duty to maintain  
3594 property and specifying standards to determine if there is neglect;

3595 prescribe civil penalties for the violation of such regulations of not less  
3596 than ten or more than one hundred dollars for each day that a violation  
3597 continues and, if such civil penalties are prescribed, such municipality  
3598 shall adopt a citation hearing procedure in accordance with section 7-  
3599 152c;

3600 (xvi) Regulate, on any property owned by or under the control of the  
3601 municipality, any activity deemed to be deleterious to public health,  
3602 including the [lighting or carrying] burning of a lighted cigarette, cigar,  
3603 pipe or similar device, whether containing, wholly or in part, tobacco or  
3604 cannabis, as defined in section 1 of this act, and the use or consumption  
3605 of cannabis, including, but not limited to, electronic cannabis delivery  
3606 systems, as defined in section 19a-342a, as amended by this act, or vapor  
3607 products, as defined in said section, containing cannabis. Such  
3608 regulations may prohibit the smoking of cannabis and the use of  
3609 electronic cannabis delivery systems and vapor products containing  
3610 cannabis in the outdoor sections of a restaurant. Such regulations may  
3611 prescribe penalties for the violation of such regulations, provided such  
3612 fine does not exceed fifty dollars for a violation of such regulations  
3613 regarding consumption by an individual or a fine in excess of one  
3614 thousand dollars to any business for a violation of such regulations;

3615 Sec. 85. (NEW) (*Effective July 1, 2021*) (a) For the school year  
3616 commencing July 1, 2022, and biennially thereafter, the Department of  
3617 Public Health shall administer the Connecticut School Health Survey to  
3618 students in grades nine to twelve, inclusive, either with funding from  
3619 the National Centers for Disease Control and Prevention provided for  
3620 such purpose, or within existing appropriations. The survey shall be  
3621 based on the Youth Risk Behavior Survey developed by the National  
3622 Centers for Disease Control and Prevention. The department shall  
3623 provide guidelines to the local or regional boards of education  
3624 regarding the administration of the survey to those high schools selected  
3625 at random by the National Centers for Disease Control and Prevention.  
3626 The local or regional boards of education of such randomly selected  
3627 high schools shall administer the survey to each high school selected to

participate in the survey in accordance with the guidelines provided by the department, including, but not be limited to, (1) the survey protocol as required by the federal Centers for Disease Control and Prevention, (2) the requirement to utilize passive parental consent before administering the survey, (3) the requirement for the survey to be anonymous and administered in a manner designed to protect student privacy, (4) the time frame for completion of the survey, and (5) the process by which the results of such survey are to be submitted to the department.

(b) The Department of Public Health, in consultation with the Department of Mental Health and Addiction Services, the Office of Early Childhood, the Department of Children and Families, the Department of Education and any other agency or public interest group the department deems necessary, may develop additional survey questions to be included as part of the Connecticut School Health Survey that are relevant to the health concerns of high school students in the state.

Sec. 86. Section 19a-342 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(a) As used in this section: [ "smoke" ]

(1) "Smoke" or "smoking" means the [lighting or carrying] burning of a lighted cigarette, cigar, pipe or any other similar device, [.] whether containing, wholly or in part, tobacco, cannabis, or hemp;

(2) "Any area" means the interior of the facility, building or establishment and the outside area within twenty-five feet of any doorway, operable window or air intake vent of the facility, building or establishment;

(3) "Cannabis" means marijuana, as defined in section 21a-240; and

(4) "Hemp" has the same meaning as provided in section 22-61l.

3657 (b) (1) Notwithstanding the provisions of section 31-40q, as amended  
3658 by this act, no person shall smoke: (A) In any area of a building or  
3659 portion of a building, partially enclosed shelter on a rail platform or bus  
3660 shelter owned and operated or leased and operated by the state or any  
3661 political subdivision thereof; (B) in any area of a health care institution,  
3662 including, but not limited to, a psychiatric facility; (C) in any area of a  
3663 retail [food store] establishment accessed by the general public; (D) in  
3664 any restaurant; (E) in any area of an establishment with a permit issued  
3665 for the sale of alcoholic liquor pursuant to section 30-20a, 30-21, 30-21b,  
3666 30-22, 30-22c, 30-28, 30-28a, 30-33a, 30-33b, 30-35a, 30-37a, 30-37e or 30-  
3667 37f, in any area of an establishment with a permit for the sale of alcoholic  
3668 liquor pursuant to section 30-23 issued after May 1, 2003, and, on and  
3669 after April 1, 2004, in any area of an establishment with a permit issued  
3670 for the sale of alcoholic liquor pursuant to section 30-22a or 30-26 or the  
3671 bar area of a bowling establishment holding a permit pursuant to  
3672 subsection (a) of section 30-37c; (F) [within] in any area of a school  
3673 building or on the grounds of such school; (G) within a child care facility  
3674 or on the grounds of such child care facility, except, if the child care  
3675 facility is a family child care home, as defined in section 19a-77, such  
3676 smoking is prohibited only when a child enrolled in such home is  
3677 present during customary business hours; (H) in any passenger  
3678 elevator; [, provided no person shall be arrested for violating this  
3679 subsection unless there is posted in such elevator a sign which indicates  
3680 that smoking is prohibited by state law;] (I) in any area of a dormitory  
3681 in any public or private institution of higher education; [or (J) on and  
3682 after April 1, 2004,] (J) in any area of a dog race track or a facility  
3683 equipped with screens for the simulcasting of off-track betting race  
3684 programs or jai alai games; (K) in any room offered as an  
3685 accommodation to guests by the operator of a hotel, motel or similar  
3686 lodging; or (L) in any area of a correctional facility or halfway house. For  
3687 purposes of this subsection, "restaurant" means space, in a suitable and  
3688 permanent building, kept, used, maintained, advertised and held out to  
3689 the public to be a place where meals are regularly served to the public,  
3690 "school" has the same meaning as provided in section 10-154a and "child  
3691 care facility" has the same meaning as provided in section 19a-342a, as

3692 amended by this act.

3693 (2) [This section] Subdivision (1) of this subsection shall not apply to  
3694 [(A) correctional facilities; (B) designated smoking areas in psychiatric  
3695 facilities; (C) public] the following: (A) Public housing projects, as  
3696 defined in subsection (b) of section 21a-278a; [(D)] (B) any classroom  
3697 where demonstration smoking is taking place as part of a medical or  
3698 scientific experiment or lesson; [(E) smoking rooms provided by  
3699 employers for employees, pursuant to section 31-40q; (F)] (C)  
3700 notwithstanding the provisions of subparagraph (E) of subdivision (1)  
3701 of this subsection, the outdoor portion of the premises of any permittee  
3702 listed in subparagraph (E) of subdivision (1) of this subsection,  
3703 provided, in the case of any seating area maintained for the service of  
3704 food, at least seventy-five per cent of the outdoor seating capacity is an  
3705 area in which smoking is prohibited and which is clearly designated  
3706 with written signage as a nonsmoking area, except that any temporary  
3707 seating area established for special events and not used on a regular  
3708 basis shall not be subject to the smoking prohibition or signage  
3709 requirements of this subparagraph; [(G)] (D) any medical research site  
3710 where smoking is integral to the research being conducted; [or (H)] (E)  
3711 any tobacco bar or tobacco specialist, provided no tobacco bar shall  
3712 expand in size or change its location from its size or location as of  
3713 December 31, 2002; or (F) any location licensed for on-site smoking of  
3714 cannabis. For purposes of this subdivision, "outdoor" means an area  
3715 which has no roof or other ceiling enclosure, "tobacco bar" means an  
3716 establishment with a permit for the sale of alcoholic liquor to consumers  
3717 issued pursuant to chapter 545 that, in the calendar year ending  
3718 December 31, 2002, generated ten per cent or more of its total annual  
3719 gross income from the on-site sale of tobacco products and the rental of  
3720 on-site humidors, [and] "tobacco product" means any substance that  
3721 contains tobacco, including, but not limited to, cigarettes, cigars, pipe  
3722 tobacco or chewing tobacco, except "tobacco product" does not include  
3723 cannabis, and "tobacco specialist" means an establishment engaged in  
3724 the sale of tobacco products that generates at least seventy-five per cent  
3725 of its annual gross income from the on-site sale of tobacco products and



3726 the rental of on-site humidors.

3727 [(c) The operator of a hotel, motel or similar lodging may allow guests  
3728 to smoke in not more than twenty-five per cent of the rooms offered as  
3729 accommodations to guests.]

3730 [(d)] (c) In each room, elevator, area or building in which smoking is  
3731 prohibited by this section, the person in control of the premises shall  
3732 post or cause to be posted in a conspicuous place signs stating that  
3733 smoking is prohibited by state law. Such signs, except in elevators,  
3734 restaurants, establishments with permits to sell alcoholic liquor to  
3735 consumers issued pursuant to chapter 545, hotels, motels or similar  
3736 lodgings, and health care institutions, shall have letters at least four  
3737 inches high with the principal strokes of letters not less than one-half  
3738 inch wide.

3739 [(e)] (d) Any person found guilty of smoking in violation of this  
3740 section, failure to post signs as required by this section or the  
3741 unauthorized removal of such signs shall have committed an infraction.  
3742 Nothing in this section shall be construed to require the person in  
3743 control of a building to post such signs in every room of [a] the building,  
3744 provided such signs are posted in a conspicuous place in [such] the  
3745 building.

3746 [(f)] (e) Nothing in this section shall be construed to require any  
3747 smoking area [in] inside or outside any building or the entryway to any  
3748 building or on any property.

3749 [(g)] (f) The provisions of this section shall supersede and preempt  
3750 the provisions of any municipal law or ordinance relative to smoking  
3751 effective prior to, on or after October 1, 1993.

3752 Sec. 87. Section 19a-342a of the general statutes is repealed and the  
3753 following is substituted in lieu thereof (*Effective October 1, 2021*):

3754 (a) As used in this section: [and section 2 of public act 15-206:]

3755 (1) "Any area" means the interior of the facility, building or  
3756 establishment and the outside area within twenty-five feet of any  
3757 doorway, operable window or air intake vent of the facility, building or  
3758 establishment;

3759 [(1)] (2) "Child care facility" means a provider of child care services as  
3760 defined in section 19a-77, or a person or entity required to be licensed  
3761 under section 17a-145;

3762 [(2)] (3) "Electronic nicotine delivery system" [has the same meaning  
3763 as provided in section 21a-415;] means an electronic device used in the  
3764 delivery of nicotine to a person inhaling from the device, and includes,  
3765 but is not limited to, an electronic cigarette, electronic cigar, electronic  
3766 cigarillo, electronic pipe or electronic hookah and any related device and  
3767 any cartridge or other component of such device, including, but not  
3768 limited to, electronic cigarette liquid. "Electronic nicotine delivery  
3769 system" does not include a medicinal or therapeutic product that is (A)  
3770 used by a licensed health care provider to treat a patient in a health care  
3771 setting, (B) used by a patient, as prescribed or directed by a licensed  
3772 healthcare provider in any setting, or (C) any drug or device, as defined  
3773 in the Food, Drug and Cosmetic Act, 21 USC 321, as amended from time  
3774 to time, any combination product, as described in said act, 21 USC  
3775 353(g), as amended from time to time, or any biological product, as  
3776 described in 42 USC 262, as amended from time to time, and 21 CFR  
3777 600.3, as amended from time to time, authorized for sale by the federal  
3778 Food and Drug Administration;

3779 (4) "Electronic cigarette liquid" does not include a medicinal or  
3780 therapeutic product that is (A) used by a licensed health care provider  
3781 to treat a patient in a health care setting, (B) used by a patient, as  
3782 prescribed or directed by a licensed health care provider in any setting,  
3783 or (C) any drug or device, as defined in the Food, Drug and Cosmetic  
3784 Act, 21 USC 321, as amended from time to time, any combination  
3785 product, as described in said act, 21 USC 353(g), as amended from time  
3786 to time, or any biological product, as described in 42 USC 262, as  
3787 amended from time to time, and 21 CFR 600.3, as amended from time to

3788 time, authorized for sale by the federal Food and Drug Administration;

3789 (5) "Electronic cannabis delivery system" means an electronic device  
3790 that may be used to simulate smoking in the delivery of cannabis to a  
3791 person inhaling the device and includes, but is not limited to, a  
3792 vaporizer, electronic pipe, electronic hookah and any related device and  
3793 any cartridge or other component of such device. "Electronic cannabis  
3794 delivery system" does not include a medicinal or therapeutic product  
3795 that is (A) used by a licensed health care provider to treat a patient in a  
3796 health care setting, (B) used by a patient, as prescribed or directed by a  
3797 licensed health care provider in any setting, or (C) any drug or device,  
3798 as defined in the Food, Drug and Cosmetic Act, 21 USC 321, as amended  
3799 from time to time, any combination product, as described in said act, 21  
3800 USC 353(g), as amended from time to time, or any biological product, as  
3801 described in 42 USC 262, as amended from time to time, and 21 CFR  
3802 600.3, as amended from time to time, authorized for sale by the federal  
3803 Food and Drug Administration;

3804 (6) "Cannabis" means marijuana, as defined in section 21a-240;

3805 [(3)] (7) "Liquid nicotine container" means a container that holds a  
3806 liquid substance containing nicotine that is sold, marketed or intended  
3807 for use in an electronic nicotine delivery system or vapor product,  
3808 except "liquid nicotine container" does not include such a container that  
3809 is prefilled and sealed by the manufacturer and not intended to be  
3810 opened by the consumer; and

3811 [(4)] (8) "Vapor product" [has the same meaning as provided in  
3812 section 21a-415] means any product that employs a heating element,  
3813 power source, electronic circuit or other electronic, chemical or  
3814 mechanical means, regardless of shape or size, to produce a vapor that  
3815 may include nicotine or cannabis and is inhaled by the user of such  
3816 product. "Vapor product" does not include a medicinal or therapeutic  
3817 product that is (A) used by a licensed health care provider to treat a  
3818 patient in a health care setting, (B) used by a patient, as prescribed or  
3819 directed by a licensed health care provider in any setting, or (C) any

3820 drug or device, as defined in the Food, Drug and Cosmetic Act, 21 USC  
3821 321, as amended from time to time, any combination product, as  
3822 described in said act, 21 USC 353(g), as amended from time to time, or  
3823 any biological product, as defined in 42 USC 262, as amended from time  
3824 to time, and 21 CFR 600.3, as amended from time to time, authorized for  
3825 sale by the federal Food and Drug Administration.

3826 (b) (1) No person shall use an electronic nicotine or cannabis delivery  
3827 system or vapor product: (A) In any area of a building or portion of a  
3828 building owned and operated or leased and operated by the state or any  
3829 political subdivision thereof; (B) in any area of a health care institution,  
3830 including, but not limited to, a psychiatric facility; (C) in any area of a  
3831 retail [food store] establishment accessed by the public; (D) in any  
3832 restaurant; (E) in any area of an establishment with a permit issued for  
3833 the sale of alcoholic liquor pursuant to section 30-20a, 30-21, 30-21b, 30-  
3834 22, 30-22a, 30-22c, 30-26, 30-28, 30-28a, 30-33a, 30-33b, 30-35a, 30-37a, 30-  
3835 37e or 30-37f, in any area of establishment with a permit issued for the  
3836 sale of alcoholic liquor pursuant to section 30-23 issued after May 1,  
3837 2003, or the bar area of a bowling establishment holding a permit  
3838 pursuant to subsection (a) of section 30-37c; (F) [within] in any area of a  
3839 school building or on the grounds of such school; (G) within a child care  
3840 facility or on the grounds of such child care facility, except, if the child  
3841 care facility is a family child care home as defined in section 19a-77, such  
3842 use is prohibited only when a child enrolled in such home is present  
3843 during customary business hours; (H) in any passenger elevator; [,  
3844 provided no person shall be arrested for violating this subsection unless  
3845 there is posted in such elevator a sign which indicates that such use is  
3846 prohibited by state law;] (I) in any area of a dormitory in any public or  
3847 private institution of higher education; [or] (J) in any area of a dog race  
3848 track or a facility equipped with screens for the simulcasting of off-track  
3849 betting race programs or jai alai games; (K) in any room offered as an  
3850 accommodation to guests by the operator of a hotel, motel or similar  
3851 lodging; or (L) in any area of a correctional facility or halfway house. For  
3852 purposes of this subsection, "restaurant" means space, in a suitable and  
3853 permanent building, kept, used, maintained, advertised and held out to

3854 the public to be a place where meals are regularly served to the public,  
3855 and "school" has the same meaning as provided in section 10-154a.

3856 (2) [This section] Subdivision (1) of this subsection shall not apply to  
3857 [(A) correctional facilities; (B) designated smoking areas in psychiatric  
3858 facilities; (C) public] the following: (A) Public housing projects, as  
3859 defined in subsection (b) of section 21a-278a; [(D)] (B) any classroom  
3860 where a demonstration of the use of an electronic nicotine or cannabis  
3861 delivery system or vapor product is taking place as part of a medical or  
3862 scientific experiment or lesson; [(E)] (C) any medical research site where  
3863 the use of an electronic nicotine or cannabis delivery system or vapor  
3864 product is integral to the research being conducted; [(F)] (D)  
3865 establishments without a permit for the sale of alcoholic liquor that sell  
3866 electronic nicotine delivery systems, vapor products or liquid nicotine  
3867 containers on-site and allow their customers to use such systems,  
3868 products or containers on-site; [(G) smoking rooms provided by  
3869 employers for employees, pursuant to section 31-40q; (H)] (E) any  
3870 location licensed for on-site use of an electronic cannabis delivery  
3871 system; (F) notwithstanding the provisions of subparagraph (E) of  
3872 subdivision (1) of this subsection, the outdoor portion of the premises of  
3873 any permittee listed in subparagraph (E) of subdivision (1) of this  
3874 subsection, provided, in the case of any seating area maintained for the  
3875 service of food, at least seventy-five per cent of the outdoor seating  
3876 capacity is an area in which smoking is prohibited and which is clearly  
3877 designated with written signage as a nonsmoking area, except that any  
3878 temporary seating area established for special events and not used on a  
3879 regular basis shall not be subject to the prohibition on the use of an  
3880 electronic nicotine or cannabis delivery system or vapor product or the  
3881 signage requirements of this subparagraph; or [(I)] (G) any tobacco bar,  
3882 provided no tobacco bar shall expand in size or change its location from  
3883 its size or location as of October 1, 2015. For purposes of this subdivision,  
3884 "outdoor" means an area which has no roof or other ceiling enclosure,  
3885 "tobacco bar" means an establishment with a permit for the sale of  
3886 alcoholic liquor to consumers issued pursuant to chapter 545 that, in the  
3887 calendar year ending December 31, 2015, generated ten per cent or more

3888 of its total annual gross income from the on-site sale of tobacco products  
3889 and the rental of on-site humidors, [and] "tobacco product" means any  
3890 substance that contains tobacco, including, but not limited to, cigarettes,  
3891 cigars, pipe tobacco or chewing tobacco, except that "tobacco product"  
3892 does not include cannabis.

3893 [(c) The operator of a hotel, motel or similar lodging may allow guests  
3894 to use an electronic nicotine delivery system or vapor product in not  
3895 more than twenty-five per cent of the rooms offered as accommodations  
3896 to guests.]

3897 [(d)] (c) In each room, elevator, area or building in which the use of  
3898 an electronic nicotine or cannabis delivery system or vapor product is  
3899 prohibited by this section, the person in control of the premises shall  
3900 post or cause to be posted in a conspicuous place signs stating that such  
3901 use is prohibited by state law. Such signs, except in elevators,  
3902 restaurants, establishments with permits to sell alcoholic liquor to  
3903 consumers issued pursuant to chapter 545, hotels, motels or similar  
3904 lodgings, and health care institutions, shall have letters at least four  
3905 inches high with the principal strokes of letters not less than one-half  
3906 inch wide.

3907 [(e)] (d) Any person found guilty of using an electronic nicotine or  
3908 cannabis delivery system or vapor product in violation of this section,  
3909 failure to post signs as required by this section or the unauthorized  
3910 removal of such signs shall have committed an infraction. Nothing in  
3911 this section shall be construed to require the person in control of a  
3912 building to post such signs in every room of the building, provided such  
3913 signs are posted in a conspicuous place in the building.

3914 [(f)] (e) Nothing in this section shall be construed to require the  
3915 designation of any area for the use of electronic nicotine or cannabis  
3916 delivery system or vapor product [in] inside or outside any building or  
3917 the entryway to any building or on any property.

3918 [(g)] (f) The provisions of this section shall supersede and preempt

the provisions of any municipal law or ordinance relative to the use of an electronic nicotine delivery system or vapor product effective prior to, on or after October 1, 2015.

Sec. 88. Section 31-40q of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(a) As used in this section:

(1) "Person" means one or more individuals, partnerships, associations, corporations, limited liability companies, business trusts, legal representatives or any organized group of persons; [.]

(2) "Employer" means a person engaged in business who has employees, including the state and any political subdivision thereof; [.]

(3) "Employee" means any person engaged in service to an employer in the business of his employer; [.]

(4) "Business facility" means a structurally enclosed location or portion thereof at which employees perform services for their employer. The term "business facility" does not include: (A) Facilities listed in [subparagraph (A), (C) or (H) of] subdivision (2) of subsection (b) of section 19a-342, as amended by this act, or subdivision (2) of subsection (b) of section 19a-342a, as amended by this act; (B) any establishment with a permit for the sale of alcoholic liquor pursuant to section 30-23 issued on or before May 1, 2003; (C) for any business that is engaged in the testing or development of tobacco, [or] tobacco products or cannabis, the areas of such business designated for such testing or development; or (D) during the period from October 1, 2003, to April 1, 2004, establishments with a permit issued for the sale of alcoholic liquor pursuant to section 30-22a or 30-26 or the bar area of a bowling establishment holding a permit pursuant to subsection (a) of section 30-37c; [.]

(5) ["Smoking"] "Smoke" or "smoking" means the burning of a lighted cigar, cigarette, pipe or any other [matter or substance which contains

3949 tobacco.] similar device, whether containing, wholly or in part, tobacco,  
3950 cannabis or hemp;

3951 (6) "Cannabis" means marijuana, as defined in section 21a-240;

3952 (7) "Electronic nicotine delivery system" has the same meaning as  
3953 provided in section 19a-342a, as amended by this act;

3954 (8) "Electronic cannabis delivery system" has the same meaning as  
3955 provided in section 19a-342a, as amended by this act;

3956 (9) "Vapor product" has the same meaning as provided in section 19a-  
3957 342a, as amended by this act;

3958 (10) "Any area" has the same meaning as provided in section 19a-  
3959 342a, as amended by this act; and

3960 (11) "Hemp" has the same meaning as provided in section 22-61l.

3961 [(b) Each employer with fewer than five employees in a business  
3962 facility shall establish one or more work areas, sufficient to  
3963 accommodate nonsmokers who request to utilize such an area, within  
3964 each business facility under his control, where smoking is prohibited.  
3965 The employer shall clearly designate the existence and boundaries of  
3966 each nonsmoking area by posting signs which can be readily seen by  
3967 employees and visitors. In the areas within the business facility where  
3968 smoking is permitted, existing physical barriers and ventilation systems  
3969 shall be used to the extent practicable to minimize the effect of smoking  
3970 in adjacent nonsmoking areas.]

3971 [(c) (1)] (b) Each employer [with five or more employees] shall  
3972 prohibit smoking [in] and the use of electronic nicotine and cannabis  
3973 delivery systems and vapor products in any area of any business facility  
3974 under said employer's control. [, except that an employer may designate  
3975 one or more smoking rooms.]

3976 [(2) Each employer that provides a smoking room pursuant to this



3977 subsection shall provide sufficient nonsmoking break rooms for  
3978 nonsmoking employees.

3979 (3) Each smoking room designated by an employer pursuant to this  
3980 subsection shall meet the following requirements: (A) Air from the  
3981 smoking room shall be exhausted directly to the outside by an exhaust  
3982 fan, and no air from such room shall be recirculated to other parts of the  
3983 building; (B) the employer shall comply with any ventilation standard  
3984 adopted by (i) the Commissioner of Labor pursuant to chapter 571, (ii)  
3985 the United States Secretary of Labor under the authority of the  
3986 Occupational Safety and Health Act of 1970, as from time to time  
3987 amended, or (iii) the federal Environmental Protection Agency; (C) such  
3988 room shall be located in a nonwork area, where no employee, as part of  
3989 his or her work responsibilities, is required to enter, except such work  
3990 responsibilities shall not include any custodial or maintenance work  
3991 carried out in the smoking room when it is unoccupied; and (D) such  
3992 room shall be for the use of employees only.]

3993 [(d)] (c) Nothing in this section may be construed to prohibit an  
3994 employer from designating an entire business facility and the real  
3995 property on which the business facility is located as a nonsmoking area.

3996 Sec. 89. (NEW) (*Effective July 1, 2022*) (a) As used in this section,  
3997 "cannabis" has the same meaning as provided in section 1 of this act and  
3998 "electronic cannabis delivery system" and "vapor product" have the  
3999 same meanings as provided in section 19a-342a of the general statutes,  
4000 as amended by this act. No hotel, motel or similar lodging shall prohibit  
4001 the legal possession or consumption of cannabis in any nonpublic area  
4002 of such hotel, motel or similar lodging.

4003 (b) Notwithstanding the provisions of subsection (a) of this section, a  
4004 hotel, motel or similar lodging shall prohibit the smoking of cannabis  
4005 and the use of an electronic cannabis delivery system or a vapor product  
4006 containing cannabis in any location of such hotel, motel or similar  
4007 lodging.

4008 Sec. 90. (NEW) (*Effective July 1, 2022*) (a) As used in this section,  
4009 "tenant", "landlord" and dwelling unit" have the same meanings as  
4010 provided in section 47a-1 of the general statutes. Except as provided in  
4011 this section, a landlord or property manager may not refuse to rent to a  
4012 prospective tenant or an existing tenant, or otherwise discriminate  
4013 against a prospective tenant or an existing tenant, based on a past  
4014 conviction for possession of a cannabis-type substance under section  
4015 21a-279a of the general statutes, as amended by this act, or for a past  
4016 conviction for possession of four or fewer ounces of cannabis plant  
4017 material, and any equivalencies and combinations thereof, pursuant to  
4018 subsection (h) of section 21a-279a of the general statutes, as amended by  
4019 this act, in any other jurisdiction.

4020 (b) Except as provided in this section, in the case of the rental of a  
4021 dwelling unit, a landlord or property manager may not prohibit the  
4022 possession of cannabis or the consumption of cannabis, except a  
4023 landlord or property manager may prohibit smoking of cannabis or use  
4024 of an electronic cannabis device or cannabis vapor product, as such  
4025 terms are defined in section 19a-342a of the general statutes, as amended  
4026 by this act.

4027 (c) A drug test of a tenant that solely yields a positive result for 11-  
4028 nor-9-carboxy-delta-9-tetrahydrocannabinol shall not form the sole  
4029 basis for a landlord to refuse to lease to or continue to lease to, or  
4030 otherwise penalize such tenant, unless failing to do so would put the  
4031 landlord in violation of a federal contract or cause the landlord to lose  
4032 federal funding.

4033 (d) This section does not apply if:

4034 (1) The tenant is a roomer who is not leasing the entire residence;

4035 (2) the residence is incidental to detention or the provision of medical,  
4036 geriatric, educational, counseling, religious, or similar service;

4037 (3) The residence is a transitional housing or sober living facility; or

4038 (4) Failing to prohibit cannabis possession or consumption would  
4039 violate federal law or regulations or cause the landlord to lose a  
4040 monetary or licensing-related benefit under federal law or regulations.

4041 Sec. 91. (NEW) (*Effective July 1, 2022*) The use of cannabis or cannabis  
4042 products shall be prohibited on any state lands or waters managed by  
4043 the Department of Energy and Environmental Protection. Any person  
4044 who violates such prohibition shall be fined not more than two hundred  
4045 fifty dollars.

4046 Sec. 92. (NEW) (*Effective July 1, 2021*) The Commissioner of Correction  
4047 may prohibit the possession of cannabis in any Department of  
4048 Correction facility and by any person under the custody of the  
4049 department.

4050 Sec. 93. (NEW) (*Effective July 1, 2022*) A drug test of an individual that  
4051 solely yields a positive result for 11-nor-9-carboxy-delta-9-  
4052 tetrahydrocannabinol shall not be construed, without other evidence, as  
4053 proof that such individual is under the influence of or impaired by  
4054 cannabis.

4055 Sec. 94. (NEW) (*Effective July 1, 2021*) The presence of cannabinoid  
4056 metabolites in the bodily fluids of a person:

4057 (1) With respect to a patient, shall not constitute the use of an illicit  
4058 substance resulting in denial of medical care, including organ  
4059 transplantation, and a patient's use of cannabis products may only be  
4060 considered with respect to evidence-based clinical criteria; and

4061 (2) With respect to a parent or legal guardian of a child or newborn  
4062 infant, or a pregnant woman, shall not form the sole or primary basis for  
4063 any action or proceeding by the Department of Children and Families,  
4064 or any successor agencies provided, nothing in this subdivision shall  
4065 preclude any action or proceeding by such department based on harm  
4066 or risk of harm to a child or the use of information on the presence of  
4067 cannabinoid metabolites in the bodily fluids of any person in any action  
4068 or proceeding.

4069       Sec. 95. (NEW) (*Effective July 1, 2021*) A drug test of a student that  
4070 solely yields a positive result for 11-nor-9-carboxy-delta-9-  
4071 tetrahydrocannabinol shall not form the sole basis for an educational  
4072 institution to refuse to enroll or to continue to enroll, or otherwise  
4073 penalize such student, unless failing to do so would put the educational  
4074 institution in violation of a federal contract or cause it to lose federal  
4075 funding, or such student is being drug tested as required by the National  
4076 Collegiate Athletic Association and any such action is taken as required  
4077 by the policies of the National Collegiate Athletic Association.

4078       Sec. 96. (NEW) (*Effective July 1, 2021*) No institution of higher  
4079 education, as defined in section 10a-55 of the general statutes, shall  
4080 revoke any financial aid, student loans, or expel a student, solely for use  
4081 or possession of less than (1) four ounces of cannabis plant material, (2)  
4082 an equivalent amount of cannabis product, as provided in subsection  
4083 (h) of section 21a-279a of the general statutes, as amended by this act, or  
4084 (3) an equivalent amount of a combination of cannabis and cannabis  
4085 product, as provided in subsection (h) of section 21a-279a of the general  
4086 statutes, as amended by this act, unless required by federal law, or that  
4087 failing to do so would put the educational institution or in violation of  
4088 a federal contract or cause it to lose federal funding.

4089       Sec. 97. (NEW) (*Effective July 1, 2022*) As used in this section and  
4090 sections 98 to 101, inclusive, of this act:

4091       (1) "Employee" means any individual employed or permitted to work  
4092 by an employer, or an independent contractor;

4093       (2) "Employer" has the same meaning as provided in section 31-58 of  
4094 the general statutes.

4095       (3) "Exempted employer" means an employer whose primary activity  
4096 is (A) mining, including, but not limited to, an employer with a two-  
4097 digit North American Industry Classification System code of 21, (B)  
4098 utilities, including, but not limited to, any employer with a two-digit  
4099 North American Industry Classification System code of 22, (C)

4100 construction, including, but not limited to, an employer with a two-digit  
4101 North American Industry Classification System code of 23, (D)  
4102 manufacturing, including, but not limited to, an employer with a two-  
4103 digit North American Industry Classification System code of 31, 32, or  
4104 33, (E) transportation or delivery, including, but not limited to, an  
4105 employer with a two-digit North American Industry Classification  
4106 System code of 48 or 49, (F) educational services, including, but not  
4107 limited to, an employer with a two-digit North American Industry  
4108 Classification System Code of 61, (G) health care or social services,  
4109 including, but not limited to, an employer with a two-digit North  
4110 American Industry Classification System Code of 62, (H) justice, public  
4111 order, and safety activities, including, but not limited to, an employer  
4112 with a four-digit North American Industry Classification System code  
4113 of 9221, or (I) national security and international affairs, including, but  
4114 not limited to, those with a three-digit North American Industry  
4115 Classification System code of 928. As used in this subdivision,  
4116 "Employer" includes any subdivision of a business entity that is a  
4117 standalone business unit, including, but not limited to, having its own  
4118 executive leadership, having some or significant autonomy and having  
4119 its own financial statements and results.

4120 (4) "Exempted position" means a position:

4121 (A) As a firefighter;

4122 (B) As an emergency medical technician;

4123 (C) As a police officer or peace officer, or in a position with a law  
4124 enforcement or investigative function at a state or local agency;

4125 (D) Requiring operation of a motor vehicle, for which federal or state  
4126 law requires any employee such position to submit to screening tests,  
4127 including, but not limited to, any position requiring a commercial  
4128 driver's license or any position subject to 49 CFR 40, 14 CFR 120, or 49  
4129 CFR 16;

4130 (E) Requiring certification of completion of a course in construction

4131 safety and health approved by the federal Occupational Safety and  
4132 Health Administration;

4133 (F) Requiring a federal Department of Defense or Department of  
4134 Energy national security clearance;

4135 (G) For which the provisions of sections 98 to 101, inclusive, of this  
4136 act, are inconsistent or otherwise in conflict with the provisions of an  
4137 employment contract or collective bargaining agreement;

4138 (H) For which the provisions of sections 98 to 101, inclusive, of this  
4139 act, would be inconsistent or otherwise in conflict with any provision of  
4140 federal law;

4141 (I) Funded in whole or in part by a federal grant;

4142 (J) Requiring certification of completion of a course in construction  
4143 safety and health approved by the federal Occupational Safety and  
4144 Health Administration;

4145 (K) Requiring the supervision or care of children, medical patients or  
4146 vulnerable persons;

4147 (L) With the potential to adversely impact the health or safety of  
4148 employees or members of the public, in the determination of the  
4149 employer; or

4150 (M) At a nonprofit organization or corporation, the primary purpose  
4151 of which is to discourage use of cannabis products or any other drug by  
4152 the general public;

4153 (5) "Exempted employee" means an employee holding an exempted  
4154 position or working for an exempted employer;

4155 (6) "On call" means a period of time for which an employee (A) is  
4156 scheduled with at least twenty-four hours' notice by his or her employer  
4157 to be on standby or otherwise responsible for performing tasks related  
4158 to his or her employment, either at the employer's premises or other

4159 previously designated location by his or her employer or supervisor to  
4160 perform a work-related task, and (B) is being compensated for such  
4161 scheduled time;

4162 (7) "Work hours" means, for a nonexempt employee under the Fair  
4163 Labor Standards Act, as amended from time to time, any period of time  
4164 for which such employee is compensated by an employer; and

4165 (8) "Workplace" means the employer's premises, including any  
4166 building, real property, and parking area under the control of the  
4167 employer, and area used by an employee while in the performance of  
4168 the employee's job duties, and the employer's vehicles, whether leased,  
4169 rented, or owned.

4170 Sec. 98. (NEW) (*Effective July 1, 2022*) (a) No employer shall be  
4171 required to make accommodations for an employee or be required to  
4172 allow an employee to: (1) Perform his or her duties while under the  
4173 influence of cannabis, or (2) possess, use or otherwise consume cannabis  
4174 while performing such duties, except possession of palliative cannabis  
4175 by a qualifying patient under chapter 420f of the general statutes.

4176 (b) (1) An employer may implement a policy prohibiting the  
4177 possession, use or other consumption of cannabis by an employee,  
4178 except (A) as provided in section 21a-408p of the general statutes, as  
4179 amended by this act, and (B) for possession of palliative cannabis by a  
4180 qualifying patient under chapter 420f of the general statutes, provided  
4181 such policy is: (i) In writing in either physical or electronic form, and (ii)  
4182 made available to each employee prior to the enactment of such policy.  
4183 The employer shall provide any such policy to each prospective  
4184 employee at the time the employer makes an offer or conditional offer  
4185 of employment to the prospective employee.

4186 (2) (A) No employer shall discharge from employment or take any  
4187 adverse action against any employee with respect to compensation,  
4188 terms, conditions or other privileges of employment because such  
4189 employee does or does not smoke, vape, aerosolize or otherwise use

4190 cannabis products outside of the workplace, unless such employment  
4191 action is made pursuant to a policy established under subdivision (1) of  
4192 this subsection.

4193 (B) No employer shall discharge from employment or take any  
4194 adverse action against any employee or prospective employee with  
4195 respect to compensation, terms, conditions, refusal to hire or other  
4196 privileges of employment because such employee or prospective  
4197 employee had or had not smoked, vaped, aerosolized or otherwise used  
4198 cannabis products outside of the workplace before such employee or  
4199 prospective employee was employed by such employer, unless failing  
4200 to do so would put the employer in violation of a federal contract or  
4201 cause it to lose federal funding.

4202 (c) Nothing in sections 97 to 101, inclusive, of this act: (1) Requires an  
4203 employer to amend or repeal, or affect, restrict or preempt the rights and  
4204 obligations of employers to maintain a drug and alcohol-free workplace,  
4205 or (2) shall limit an employer from taking appropriate employment  
4206 action upon (A) reasonable suspicion of an employee's usage of  
4207 cannabis while engaged in the performance of the employee's work  
4208 responsibilities at the workplace or on call, or (B) determining that an  
4209 employee manifests specific, articulable symptoms of drug impairment  
4210 while working at the workplace or on call that decrease or lessen the  
4211 employee's performance of the duties or tasks of the employee's job  
4212 position, including, but not limited to, (i) symptoms of the employee's  
4213 speech, physical dexterity, agility, coordination, demeanor, irrational or  
4214 unusual behavior, or negligence or carelessness in operating equipment  
4215 of machinery, (ii) disregard for the safety of the employee or others, or  
4216 involvement in any accident that results in serious damage to  
4217 equipment or property, (iii) disruption of a production or  
4218 manufacturing process, or (iv) carelessness that results in any injury to  
4219 the employee or others.

4220 (d) (1) The provisions of subsections (a) and (b) of this section shall  
4221 not apply to an exempted employer or to any employee who holds or is  
4222 applying for an exempted position.



4223 (2) Nothing in sections 97 to 101, inclusive, of this act, shall limit or  
4224 prevent an employer from subjecting an employee or applicant to drug  
4225 testing or a fitness for duty evaluation, or from taking adverse action,  
4226 including, but not limited to, disciplining an employee, terminating the  
4227 employment of an employee or rescinding a conditional job offer to a  
4228 prospective employee pursuant to a policy established under  
4229 subdivision (1) of subsection (b) of this section.

4230 Sec. 99. (NEW) (*Effective July 1, 2022*) A drug test of a prospective or  
4231 existing employee, other than a prospective or existing exempted  
4232 employee, that solely yields a positive result for 11-nor-9-carboxy-delta-  
4233 9-tetrahydrocannabinol, shall not form the sole basis for refusal to  
4234 employ or to continue to employ or otherwise penalize such prospective  
4235 or current employee, unless (1) failing to do so would put the employer  
4236 in violation of a federal contract or cause it to lose federal funding, (2)  
4237 the employer reasonably suspects an employee's usage of cannabis  
4238 while engaged in the performance of the employee's work  
4239 responsibilities, (3) the employee manifests specific, articulable  
4240 symptoms of drug impairment while working that decrease or lessen  
4241 the employee's performance of the duties or tasks of the employee's job  
4242 position, including, but not limited to, (A) symptoms of the employee's  
4243 speech, physical dexterity, agility, coordination, demeanor, irrational or  
4244 unusual behavior or negligence or carelessness in operating equipment  
4245 of machinery, (B) disregard for the safety of the employee or others, or  
4246 involvement in any accident that results in serious damage to  
4247 equipment or property, (C) disruption of a production or manufacturing  
4248 process, or (D) carelessness that results in any injury to the employee or  
4249 others, or (4) except as provided in section 21a-408p of the general  
4250 statutes, as amended by this act, such drug test was pursuant to a  
4251 random drug testing policy pursuant to subdivision (1) of subsection (b)  
4252 of section 98 of this act or was of a prospective employee with a  
4253 conditional job offer, and such employer has established in such policy  
4254 that a positive drug test for 11-nor-9-carboxy-delta-9-  
4255 tetrahydrocannabinol may result in an adverse employment action.

4256 Sec. 100. (NEW) (*Effective July 1, 2022*) (a) Except as provided in  
4257 subsection (b) of this section, if an employer has violated any provision  
4258 of section 98 or 99 of this act, an individual aggrieved by such violation  
4259 may bring a civil action for judicial enforcement of such provision in the  
4260 superior court for the judicial district where the violation is alleged to  
4261 have occurred, or where the employer has its principal office, within  
4262 ninety days of such alleged violation, except any action involving a state  
4263 agency may be brought in the superior court for the judicial district of  
4264 Hartford. Any individual who prevails in such civil action may be  
4265 awarded reinstatement of the individual's previous employment or job  
4266 offer and shall be awarded payment of back wages and reasonable  
4267 attorney's fees and costs, to be taxed by the court.

4268 (b) Nothing in this section shall be construed to create or imply a  
4269 cause of action for any person against an employer: (1) For actions taken  
4270 based on the employer's good faith belief that an employee used or  
4271 possessed cannabis, except possession of palliative cannabis by a  
4272 qualifying patient under chapter 420f of the general statutes, in the  
4273 employer's workplace, while performing the employee's job duties,  
4274 during work hours, or while on call in violation of the employer's  
4275 employment policies; (2) for actions taken, including discipline or  
4276 termination of employment, based on the employer's good faith belief  
4277 that an employee was unfit for duty or impaired as a result of the use of  
4278 cannabis, or under the influence of cannabis, while at the employer's  
4279 workplace, while performing the employee's job duties, during work  
4280 hours or while on call in violation of the employer's workplace drug  
4281 policy; (3) for injury, loss or liability to a third party if the employer  
4282 neither knew nor had reason to know that the employee was impaired  
4283 by cannabis; (4) for subjecting an employee to drug testing or a fitness  
4284 for duty evaluation, pursuant to a policy established under subdivision  
4285 (1) of subsection (b) of section 98 of this act; (5) for subjecting a  
4286 prospective employee to drug testing or taking adverse action against a  
4287 prospective employee, including, but not limited to, rescission of a  
4288 conditional job offer, based on the results of a drug test, so long as no  
4289 employer takes adverse action against a prospective employee in regard

4290 to a drug test that is solely positive for 11-nor-9-carboxy-delta-9-  
4291 tetrahydrocannabinol unless such employer is an exempted employer,  
4292 such prospective employee is applying for an exempted position, or the  
4293 employer has established in an employment policy pursuant to  
4294 subdivision (1) of subsection (b) of section 98 of this act that a positive  
4295 drug test for 11-nor-9-carboxy-delta-9-tetrahydrocannabinol may result  
4296 in adverse employment action; or (6) if such employer is an exempted  
4297 employer or the claims are regarding an exempted position.

4298 (c) Notwithstanding the provisions of chapter 557 of the general  
4299 statutes, no employer, officer, agent or other person who violates any  
4300 provision of sections 98 to 101, inclusive, of this act shall be liable to the  
4301 Labor Department for a civil penalty, nor shall the Labor Department  
4302 undertake an investigation of an employer, officer, agent or other person  
4303 based solely on an allegation that such employer, officer, agent or other  
4304 person violated the provisions of this section.

4305 Sec. 101. (NEW) (*Effective July 1, 2021*) (a) Notwithstanding the  
4306 provisions of sections 98 to 100, inclusive, of this act, nothing in  
4307 RERACA shall be construed to apply to drug testing, conditions of  
4308 continued employment or conditions for hiring employees required  
4309 pursuant to:

4310 (1) Any regulation of the federal Department of Transportation, if  
4311 such regulation requires testing of a prospective employee in  
4312 accordance with 49 CFR 40 or any regulations of state agencies that  
4313 adopt a federal regulation for purposes of enforcing the requirements of  
4314 such regulation with respect to intrastate commerce;

4315 (2) Any contract entered into between the federal government and an  
4316 employer or any grant of financial assistance from the federal  
4317 government to an employer that requires drug testing of prospective  
4318 employees as a condition of receiving the contract or grant;

4319 (3) Any federal law or state statute, regulation or order that requires  
4320 drug testing of prospective employees for safety or security purposes;

4321 or

4322 (4) Any applicant whose prospective employer is a party to a valid  
4323 collective bargaining agreement that specifically addresses drug testing,  
4324 conditions of hiring, or conditions of continued employment of such  
4325 applicant.

4326 (b) Nothing in sections 98 to 100, inclusive, of this act, inclusive, shall  
4327 apply to contracts between a hospital or other medical organization and  
4328 medical staff, as defined in 42 CFR 482.22, or to the requirements or  
4329 enforcement of such requirements of a hospital's or other medical  
4330 organization's standards for the credentialing of such medical staff.

4331 Sec. 102. Section 21a-6 of the general statutes is repealed and the  
4332 following is substituted in lieu thereof (*Effective July 1, 2021*):

4333 The following boards shall be within the Department of Consumer  
4334 Protection:

4335 (1) The Architectural Licensing Board established under chapter 390;

4336 (2) Repealed by P.A. 93-151, S. 3, 4;

4337 (3) The examining boards for electrical work; plumbing and piping  
4338 work; heating, piping, cooling and sheet metal work; elevator  
4339 installation, repair and maintenance work; fire protection sprinkler  
4340 systems work and automotive glass work and flat glass work,  
4341 established under chapter 393;

4342 (4) Repealed by P.A. 99-73, S. 10\*;

4343 (5) The Commission of Pharmacy established under chapter 400j;

4344 (6) The State Board of Landscape Architects established under  
4345 chapter 396;

4346 (7) Deleted by P.A. 98-229;

4347 (8) The State Board of Examiners for Professional Engineers and Land  
4348 Surveyors established under chapter 391;

4349 (9) Repealed by P.A. 80-484, S. 175, 176;

4350 (10) The Connecticut Real Estate Commission established under  
4351 chapter 392;

4352 (11) The Connecticut Real Estate Appraisal Commission established  
4353 under chapter 400g;

4354 (12) The State Board of Examiners of Shorthand Reporters established  
4355 under chapter 400l;

4356 (13) The Liquor Control Commission established under chapter 545;

4357 (14) Repealed by P.A. 06-187, S. 99;

4358 (15) The Home Inspection Licensing Board established under section  
4359 20-490a; [and]

4360 (16) The State Board of Accountancy established under section 20-  
4361 280; and

4362 (17) The Cannabis Control Commission established under section 21  
4363 of this act.

4364 Sec. 103. Section 21a-7 of the general statutes is repealed and the  
4365 following is substituted in lieu thereof (*Effective July 1, 2021*):

4366 (a) Each board or commission within the Department of Consumer  
4367 Protection under section 21a-6, as amended by this act, shall have the  
4368 following powers and duties:

4369 (1) Each board or commission shall exercise its statutory functions,  
4370 including licensing, certification, registration, accreditation of schools  
4371 and the rendering of findings, orders and adjudications. With the  
4372 exception of the Liquor Control Commission and the Cannabis Control

4373 Commission, any exercise of such functions by such a board or  
4374 commission that is adverse to a party shall be a proposed decision and  
4375 subject to approval, modification or rejection by the commissioner.

4376 (2) Each board or commission may, in its discretion, issue (A) an  
4377 appropriate order to any person found to be violating an applicable  
4378 statute or regulation providing for the immediate discontinuance of the  
4379 violation, (B) an order requiring the violator to make restitution for any  
4380 damage caused by the violation, or (C) both. Each board or commission  
4381 may, through the Attorney General, petition the superior court for the  
4382 judicial district wherein the violation occurred, or wherein the person  
4383 committing the violation resides or transacts business, for the  
4384 enforcement of any order issued by it and for appropriate temporary  
4385 relief or a restraining order and shall certify and file in the court a  
4386 transcript of the entire record of the hearing or hearings, including all  
4387 testimony upon which such order was made and the findings and  
4388 orders made by the board or commission. The court may grant such  
4389 relief by injunction or otherwise, including temporary relief, as it deems  
4390 equitable and may make and enter a decree enforcing, modifying and  
4391 enforcing as so modified, or setting aside, in whole or in part, any order  
4392 of a board or commission.

4393 (3) Each board or commission may conduct hearings on any matter  
4394 within its statutory jurisdiction. Such hearings shall be conducted in  
4395 accordance with chapter 54 and the regulations established pursuant to  
4396 subsection (a) of section 21a-9. In connection with any such hearing, the  
4397 board or commission may administer oaths, issue subpoenas, compel  
4398 testimony and order the production of books, records and documents.  
4399 If any person refuses to appear, testify or produce any book, record or  
4400 document when so ordered, a judge of the Superior Court may make  
4401 such order as may be appropriate to aid in the enforcement of this  
4402 section.

4403 (4) Each board or commission may request the Commissioner of  
4404 Consumer Protection to conduct an investigation and to make findings  
4405 and recommendations regarding any matter within the statutory

4406 jurisdiction of the board or commission.

4407 (5) Each board or commission may recommend rules and regulations  
4408 for adoption by the Commissioner of Consumer Protection and may  
4409 review and comment upon proposed rules and regulations prior to their  
4410 adoption by said commissioner.

4411 (6) Each board or commission shall meet at least once in each quarter  
4412 of a calendar year and at such other times as the chairperson or the  
4413 Commissioner of Consumer Protection deems necessary. A majority of  
4414 the members shall constitute a quorum, except that for any examining  
4415 board, forty per cent of the members shall constitute a quorum. Any  
4416 member who fails to attend three consecutive meetings or who fails to  
4417 attend fifty per cent of all meetings during any calendar year shall be  
4418 deemed to have resigned from office. Members of boards or  
4419 commissions shall not serve for more than two consecutive full terms  
4420 which commence on or after July 1, 1982, except that if no successor has  
4421 been appointed or approved, such member shall continue to serve until  
4422 a successor is appointed or approved. Members shall not be  
4423 compensated for their services but shall be reimbursed for necessary  
4424 expenses incurred in the performance of their duties.

4425 (7) In addition to any other action permitted under the general  
4426 statutes, each board or commission may, upon a finding of any cause  
4427 specified in subsection (c) of section 21a-9: (A) Revoke or suspend a  
4428 license, registration or certificate; (B) issue a letter of reprimand to a  
4429 practitioner and send a copy of such letter to a complainant or to a state  
4430 or local official; (C) place a practitioner on probationary status and  
4431 require the practitioner to (i) report regularly to the board or  
4432 commission on the matter which is the basis for probation, (ii) limit the  
4433 practitioner's practice to areas prescribed by the board or commission,  
4434 or (iii) continue or renew the practitioner's education until the  
4435 practitioner has attained a satisfactory level of competence in any area  
4436 which is the basis for probation. Each board or commission may  
4437 discontinue, suspend or rescind any action taken under this subsection.

4438 (8) Each examining board within the Department of Consumer  
4439 Protection or the Commissioner of Consumer Protection shall conduct  
4440 any hearing or other action required for an application submitted  
4441 pursuant to section 20-333 and any completed renewal application  
4442 submitted pursuant to section 20-335 not later than (A) thirty days after  
4443 the date of submission for such application or completed renewal  
4444 application, as applicable, or (B) a period of time deemed appropriate  
4445 by the Commissioner of Consumer Protection, but not to exceed sixty  
4446 days after such date of submission.

4447 (b) With the exception of the Liquor Control Commission and the  
4448 Cannabis Control Commission, each board or commission within the  
4449 Department of Consumer Protection under section 21a-6, as amended  
4450 by this act, that makes a proposed final decision that is adverse to a party  
4451 as described in subdivision (1) of subsection (a) of this section, shall  
4452 submit such proposed decision to the Commissioner of Consumer  
4453 Protection. Not later than thirty calendar days after receipt of any such  
4454 proposed decision, the Commissioner of Consumer Protection shall  
4455 notify such board or commission that the commissioner shall render the  
4456 final decision concerning such matter. Not later than thirty days after  
4457 receipt of any such proposed decision, the commissioner shall approve,  
4458 modify or reject the proposed decision or remand the proposed decision  
4459 for further review or for the taking of additional evidence. The  
4460 commissioner shall notify the board or commission in writing of the  
4461 commissioner's decision and include in such notification the rationale  
4462 for such decision. The decision of the commissioner shall be the final  
4463 decision in accordance with section 4-180 for purposes of  
4464 reconsideration in accordance with section 4-181a or appeal to the  
4465 Superior Court in accordance with section 4-183.

4466 Sec. 104. Subsection (a) of section 21a-8 of the general statutes is  
4467 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
4468 *2021*):

4469 (a) The Department of Consumer Protection shall have the following  
4470 powers and duties with regard to each board or commission transferred



4471 to the Department of Consumer Protection under section 21a-6, as  
4472 amended by this act, except for the Liquor Control Commission and the  
4473 Cannabis Control Commission:

4474 (1) The department shall control the allocation, disbursement and  
4475 budgeting of funds appropriated to the department for the operation of  
4476 each board or commission transferred to said department.

4477 (2) The department shall employ and assign such personnel as the  
4478 commissioner deems necessary for the performance of each board's or  
4479 commission's functions.

4480 (3) The department shall perform all management functions,  
4481 including purchasing, bookkeeping, accounting, payroll, secretarial,  
4482 clerical, record-keeping and routine housekeeping functions.

4483 (4) The department shall conduct any necessary review, inspection or  
4484 investigation regarding qualifications of applicants for licenses or  
4485 certificates, possible violations of statutes or regulations, accreditation  
4486 of schools, disciplinary matters and the establishment of regulatory  
4487 policy, and make recommendations to the appropriate board or  
4488 commission. In connection with any such investigation, the  
4489 Commissioner of Consumer Protection, or the commissioner's  
4490 authorized agent, may administer oaths, issue subpoenas, compel  
4491 testimony and order the production of books, records and documents.  
4492 If any person refuses to appear, to testify or to produce any book, record  
4493 or document when so ordered, a judge of the Superior Court may make  
4494 such order as may be appropriate to aid in the enforcement of this  
4495 section.

4496 (5) The department shall administer any examinations necessary to  
4497 ascertain the qualifications of applicants for licenses or certificates and  
4498 shall issue licenses or certificates to qualified applicants. The  
4499 department shall maintain rosters of licensees or registrants and update  
4500 such rosters annually, and may provide copies of such rosters to the  
4501 public for an appropriate fee.

4502       (6) The department shall conduct any necessary investigation and  
4503 follow-up in connection with complaints regarding persons subject to  
4504 regulation or licensing by the board or commission.

4505       (7) The department shall perform any other function necessary to the  
4506 effective operation of the board or commission.

4507       (8) The department shall receive complaints concerning the work and  
4508 practices of persons licensed, registered or certified by such boards or  
4509 commissions and shall receive complaints concerning unauthorized  
4510 work and practice by persons not licensed, registered or certified by  
4511 such boards or commissions. The department shall distribute quarterly  
4512 a list of all complaints received within the previous quarter to the  
4513 chairperson of the appropriate board or commission. The department  
4514 shall screen all complaints and dismiss any in which the allegation, if  
4515 substantiated, would not constitute a violation of any statute or  
4516 regulation. The department shall distribute notice of all such dismissals  
4517 monthly to the chairperson of the appropriate board or commission. The  
4518 department shall investigate any complaint in which the allegation, if  
4519 substantiated, would constitute a violation of a statute or regulation  
4520 under its jurisdiction. In conducting the investigation, the commissioner  
4521 may seek the assistance of a member of the appropriate board, an  
4522 employee of any state agency with expertise in the area, or if no such  
4523 member or employee is available, a person from outside state service  
4524 licensed to perform the work involved in the complaint. Board or  
4525 commission members involved in an investigation shall not participate  
4526 in disciplinary proceedings resulting from such investigation. The  
4527 Commissioner of Consumer Protection may dismiss a complaint  
4528 following an investigation if the commissioner determines that such  
4529 complaint lacks probable cause. The commissioner may bring a  
4530 complaint before the appropriate board or commission for a formal  
4531 hearing if the commissioner determines that there is probable cause to  
4532 believe that the offense alleged in the complaint has been committed  
4533 and that the practitioner named in the complaint was responsible. The  
4534 commissioner, or the commissioner's authorized agent, shall have the

4535 power to issue subpoenas to require the attendance of witnesses or the  
4536 production of records, correspondence, documents or other evidence in  
4537 connection with any hearing of a board or commission.

4538 (9) The department may contract with a third party, if the  
4539 commissioner deems it necessary, to administer licensing examinations  
4540 and perform all attendant administrative functions in connection with  
4541 such examination and to monitor continuing professional education  
4542 requirements, and may require the payment of a fee to such third party.

4543 Sec. 105. (NEW) (*Effective July 1, 2022*) Any cannabis establishment  
4544 licensee or any servant or agent of a licensee who sells or delivers  
4545 cannabis or cannabis products to any person under twenty-one years of  
4546 age shall be guilty of a class A misdemeanor.

4547 Sec. 106. (NEW) (*Effective January 1, 2022*) (a) A cannabis  
4548 establishment issued a license pursuant to RERACA or an agent or  
4549 employee of such licensee may require any person whose age is in  
4550 question to have such person's photograph be taken by, and a  
4551 photocopy of such person's driver's license or identity card issued in  
4552 accordance with the provisions of section 1-1h of the general statutes be  
4553 made by, such licensee, agent or employee as a condition of selling or  
4554 delivering cannabis or cannabis products to such person.

4555 (b) No licensee or agent or employee of a licensee shall use a  
4556 photograph taken or a photocopy made pursuant to subsection (a) of  
4557 this section for a purpose other than the purpose specified in said  
4558 subsection.

4559 (c) No licensee or agent or employee of a licensee shall sell or  
4560 otherwise disseminate a photograph taken or a photocopy made  
4561 pursuant to subsection (a) of this section, or any information derived  
4562 from such photograph or photocopy, to any third party for any purpose  
4563 including, but not limited to, any marketing, advertising or promotional  
4564 activities, except that a licensee or an agent or employee of a licensee  
4565 may release such photograph, photocopy or information pursuant to a

4566 court order.

4567 (d) In any prosecution of a licensee or an agent or employee of a  
4568 licensee for selling or delivering cannabis or cannabis products to a  
4569 person under twenty-one years of age in violation of RERACA, it shall  
4570 be an affirmative defense that such licensee, agent or employee sold or  
4571 delivered cannabis or cannabis products to such person in good faith  
4572 and in reasonable reliance upon the identification presented by such  
4573 person and, pursuant to subsection (a) of this section, photographed the  
4574 person and made a photocopy of such identification. In support of such  
4575 defense, such licensee, agent or employee may introduce evidence of  
4576 such photograph and photocopy.

4577 (e) The Commissioner of Consumer Protection may require a  
4578 cannabis establishment to use an online age verification system.

4579 Sec. 107. (NEW) (*Effective January 1, 2022*) Any person who induces  
4580 any person under twenty-one years of age to procure cannabis or  
4581 cannabis products from any person licensed to sell such cannabis  
4582 products shall be guilty of a class A misdemeanor. The provisions of this  
4583 section shall not apply to (1) the procurement of cannabis or cannabis  
4584 products by a person over eighteen years of age who is an employee  
4585 registered pursuant to the provisions of section 29 of this act where such  
4586 procurement is made in the course of such person's employment or  
4587 business, or (2) any such inducement in furtherance of an official  
4588 investigation or enforcement activity conducted by a law enforcement  
4589 agency. Nothing in this section shall be construed to prevent any action  
4590 from being taken against any person permitted to sell cannabis or  
4591 cannabis products who has sold cannabis or cannabis products to a  
4592 person under twenty-one years of age who is participating in an official  
4593 investigation or enforcement activity conducted by a law enforcement  
4594 agency.

4595 Sec. 108. (NEW) (*Effective January 1, 2022*) (a) Each person who attains  
4596 the age of twenty-one years and has a motor vehicle operator's license  
4597 or identity card issued in accordance with the provisions of section 1-1h

4598 of the general statutes, containing a full-face photograph of such person,  
4599 may use, and each licensee may accept, such license as legal proof of the  
4600 age of the person for the purposes of RERACA.

4601 (b) Any person who, for the purpose of procuring cannabis or  
4602 cannabis products, misrepresents his or her age or uses or exhibits an  
4603 operator's license belonging to any other person shall for (1) a first  
4604 offense, be fined not more than two hundred fifty dollars, and (2) any  
4605 subsequent offense, be guilty of a class D misdemeanor.

4606 (c) The provisions of this section shall not apply to any person  
4607 employed by, or who has contracted directly or indirectly with, a state  
4608 agency for the purposes of testing the age verification and product  
4609 controls of cannabis retailers while performing such testing duties.

4610 Sec. 109. (NEW) (*Effective January 1, 2022*) (a) No person having  
4611 possession of, or exercising dominion and control over, any dwelling  
4612 unit or private property shall: (1) Knowingly or recklessly permit any  
4613 person under twenty-one years of age to possess cannabis or cannabis  
4614 products in violation of section 21-279a of the general statutes, as  
4615 amended by this act, in such dwelling unit or on such private property,  
4616 or (2) knowing that any person under twenty-one years of age possesses  
4617 cannabis or cannabis products in violation of section 21-279a of the  
4618 general statutes, as amended by this act, in such dwelling unit or on such  
4619 private property, fail to make reasonable efforts to halt such possession.

4620 (b) Any person who violates the provisions of subsection (a) of this  
4621 section shall be guilty of a class A misdemeanor.

4622 Sec. 110. (NEW) (*Effective January 1, 2022*) (a) No retailer or hybrid  
4623 retailer or employee or agent of a retailer or hybrid retailer shall permit  
4624 any person under twenty-one years of age to loiter on his or her  
4625 premises where cannabis or cannabis product is kept for sale or be in  
4626 any room on such premises where cannabis or cannabis products are  
4627 consumed, unless such person is (1) an employee of the retailer or  
4628 hybrid retailer, (2) in the case of hybrid retailer or employee or agent of

4629 a hybrid retailer, permitted under chapter 420f of the general statutes to  
4630 possess or consume cannabis or cannabis products, or (3) accompanied  
4631 by his or her parent or guardian.

4632 (b) Any retailer or hybrid retailer or employee or agent of a retailer  
4633 or hybrid retailer who violates the provisions of subsection (a) of this  
4634 section shall be (1) fined not more than one thousand dollars for a first  
4635 offense, and (2) guilty of a class B misdemeanor for any subsequent  
4636 offense.

4637 Sec. 111. Section 30-89a of the general statutes is repealed and the  
4638 following is substituted in lieu thereof (*Effective January 1, 2022*):

4639 (a) No person having possession of, or exercising dominion and  
4640 control over, any dwelling unit or private property shall (1) knowingly  
4641 [ ] or recklessly [or with criminal negligence] permit any minor to  
4642 possess alcoholic liquor in violation of subsection (b) of section 30-89 in  
4643 such dwelling unit or on such private property, or (2) knowing that any  
4644 minor possesses alcoholic liquor in violation of subsection (b) of section  
4645 30-89 in such dwelling unit or on such private property, fail to make  
4646 reasonable efforts to halt such possession. For the purposes of this  
4647 subsection, "minor" means a person under twenty-one years of age.

4648 (b) Any person who violates the provisions of subsection (a) of this  
4649 section shall be guilty of a class A misdemeanor.

4650 Sec. 112. (NEW) (*Effective October 1, 2021*) (a) A person is guilty of  
4651 smoking, otherwise inhaling or ingesting cannabis, as defined in section  
4652 1 of this act, while operating a motor vehicle when he or she smokes,  
4653 otherwise inhales or ingests a cannabis product, as defined in section 1  
4654 of this act, while operating a motor vehicle upon a public highway of  
4655 this state or upon any road of any specially chartered municipal  
4656 association or of any district organized under the provisions of chapter  
4657 105 of the general statutes, a purpose of which is the construction and  
4658 maintenance of roads and sidewalks, or in any parking area for ten cars  
4659 or more, or upon any private road on which a speed limit has been

4660 established in accordance with the provisions of section 14-218a of the  
4661 general statutes or upon any school property. No person shall be  
4662 convicted of smoking or otherwise inhaling or ingesting cannabis while  
4663 operating a motor vehicle and possessing or having under such person's  
4664 control a controlled substance upon the same transaction. A person may  
4665 be charged and prosecuted for either or each such offense, a violation of  
4666 operating a motor vehicle while under the influence of any drug and  
4667 any other applicable offense upon the same information.

4668 (b) Smoking, otherwise inhaling or ingesting cannabis while  
4669 operating a motor vehicle is a class C misdemeanor.

4670 Sec. 113. (NEW) (*Effective October 1, 2021*) (a) A person is guilty of  
4671 smoking cannabis in a motor vehicle when he or she smokes cannabis,  
4672 as defined in section 1 of this act, in a motor vehicle that is being  
4673 operated by another person upon a public highway of this state or upon  
4674 any road of any specially chartered municipal association or of any  
4675 district organized under the provisions of chapter 105 of the general  
4676 statutes, a purpose of which is the construction and maintenance of  
4677 roads and sidewalks, or in any parking area for ten cars or more, or upon  
4678 any private road on which a speed limit has been established in  
4679 accordance with the provisions of section 14-218a of the general statutes  
4680 or upon any school property. No person shall be convicted of smoking  
4681 cannabis as a passenger in a motor vehicle and possessing or having  
4682 under such person's control a controlled substance upon the same  
4683 transaction, but such person may be charged and prosecuted for both  
4684 offenses upon the same information.

4685 (b) Smoking cannabis in a motor vehicle is a class D misdemeanor.

4686 Sec. 114. (NEW) (*Effective July 1, 2021*) (a) Not later than January 1,  
4687 2022, each law enforcement unit shall report to the Police Officer  
4688 Standards and Training Council, in the manner specified by the council,  
4689 a recommendation as to the minimum number of officers that such law  
4690 enforcement unit should have accredited as drug recognition experts in

4691 order to ensure adequate availability of drug recognition experts to  
4692 respond to instances of impaired driving, allowing that law enforcement  
4693 units may call upon drug recognition experts from other law  
4694 enforcement units as necessary and available. Such recommendation  
4695 shall be based on data on impaired driving made available to law  
4696 enforcement units by the Department of Transportation and any  
4697 guidance issued by the council.

4698 (b) The Police Officer Standards and Training Council, in conjunction  
4699 with the Highway Safety Office within the Department of  
4700 Transportation, shall determine the minimum number of police officers  
4701 to be accredited as drug recognition experts for each law enforcement  
4702 unit. In making such determination, the council and office shall consider  
4703 the recommendation made by each law enforcement unit pursuant to  
4704 subsection (a) of this section. The council and office shall submit the  
4705 results of such determination to the Governor and the Secretary of the  
4706 Office of Policy and Management not later than July 1, 2022. The council  
4707 and office shall update and submit such determination to the Governor  
4708 and Secretary of the Office of Policy and Management no less frequently  
4709 than once every three years.

4710 (c) Not later than April 1, 2022, the Police Officer Standards and  
4711 Training Council shall develop and promulgate a model drug  
4712 recognition expert policy to ensure that enough police officers become  
4713 trained drug recognition experts in each law enforcement unit to meet  
4714 the minimum number established in subsection (b) of this section.

4715 (d) Not later than October 1, 2022, each law enforcement unit shall  
4716 adopt and maintain a written policy that meets or exceeds the standards  
4717 of the model policy developed pursuant to subsection (c) of this section.

4718 (e) Not later than January 1, 2022, the Police Officer Standards and  
4719 Training Council and the Highway Safety Office within the Department  
4720 of Transportation shall jointly issue a plan to increase access to  
4721 advanced roadside impaired driving enforcement training and drug



4722 recognition expert training for police officers and law enforcement units  
4723 in the state. The council and office shall update such plan no less  
4724 frequently than once every three years.

4725 (f) On and after January 1, 2022, each police officer who has not yet  
4726 been recertified pursuant to section 7-294e of the general statutes for the  
4727 second time after receiving an initial certification, shall complete  
4728 training and receive certification in advanced roadside impaired driving  
4729 enforcement prior to being recertified pursuant to section 7-294e of the  
4730 general statutes.

4731 (g) For purposes of this section, "advanced roadside impaired driving  
4732 enforcement" means a program developed by the National Highway  
4733 Traffic Safety Administration with the International Association of  
4734 Chiefs of Police and the Technical Advisory Panel, which focuses on  
4735 impaired driving enforcement education for police officers, or any  
4736 successor to such program; "drug recognition expert" means a person  
4737 certified by the International Association of Chiefs of Police as having  
4738 met all requirements of the International Drug Evaluation and  
4739 Classification Program; "law enforcement unit" has the same meaning  
4740 as provided in section 7-294a of the general statutes; and "Police Officer  
4741 Standards and Training Council" means the council established under  
4742 section 7-294b of the general statutes.

4743 Sec. 115. Subsection (a) of section 14-111e of the general statutes is  
4744 repealed and the following is substituted in lieu thereof (*Effective April*  
4745 *1, 2022*):

4746 (a) (1) The Commissioner of Motor Vehicles shall suspend, for a  
4747 period of one hundred fifty days, the motor vehicle operator's license or  
4748 nonresident operating privilege of any person who has been convicted  
4749 of a violation of section 30-88a involving the misuse of an operator's  
4750 license and who was under the age of twenty-one at the time of such  
4751 violation.

4752 (2) The commissioner shall suspend, for a period of sixty days, the

4753 motor vehicle operator's license or nonresident operating privilege of  
4754 any person who has been convicted of a violation of subdivision (1) of  
4755 subsection (b) of section 30-89, subsection [(a)] (b), (c) or (e) of section  
4756 21a-279a, as amended by this act, or subsection (d) of section 21a-267, as  
4757 amended by this act, and who was under the age of twenty-one at the  
4758 time of such violation.

4759 (3) The commissioner shall suspend, for a period of thirty days, the  
4760 motor vehicle operator's license or nonresident operating privilege of  
4761 any person who has been convicted of a violation of subdivision (2) of  
4762 subsection (b) of section 30-89 and who was under the age of twenty-  
4763 one at the time of such violation.

4764 Sec. 116. Subsections (a) to (e), inclusive, of section 14-227a of the  
4765 general statutes are repealed and the following is substituted in lieu  
4766 thereof (*Effective April 1, 2022*):

4767 (a) No person shall operate a motor vehicle while under the influence  
4768 of intoxicating liquor or any drug or both. A person commits the offense  
4769 of operating a motor vehicle while under the influence of intoxicating  
4770 liquor or any drug or both if such person operates a motor vehicle (1)  
4771 while under the influence of intoxicating liquor or any drug or both, or  
4772 (2) while such person has an elevated blood alcohol content. For the  
4773 purposes of this section, "elevated blood alcohol content" means a ratio  
4774 of alcohol in the blood of such person that is eight-hundredths of one  
4775 per cent or more of alcohol, by weight, except that if such person is  
4776 operating a commercial motor vehicle, "elevated blood alcohol content"  
4777 means a ratio of alcohol in the blood of such person that is four-  
4778 hundredths of one per cent or more of alcohol, by weight, and "motor  
4779 vehicle" includes a snowmobile and all-terrain vehicle, as those terms  
4780 are defined in section 14-379. For purposes of this section, section 14-  
4781 227b, as amended by this act, and section 14-227c, as amended by this  
4782 act, (A) "advanced roadside impaired driving enforcement" means a  
4783 program developed by the National Highway Traffic Safety  
4784 Administration with the International Association of Chiefs of Police

4785 and the Technical Advisory Panel, which focuses on impaired driving  
4786 enforcement education for police officers, or any successor to such  
4787 program; (B) "drug influence evaluation" means a twelve-part  
4788 evaluation developed by the National Highway Traffic Safety  
4789 Administration and the International Association of Chiefs of Police that  
4790 is conducted by a drug recognition expert to determine the level of a  
4791 person's impairment from the use of drugs and the drug category  
4792 causing such impairment; (C) "drug recognition expert" means a person  
4793 certified by the International Association of Chiefs of Police as having  
4794 met all requirements of the International Drug Evaluation and  
4795 Classification Program; and (D) "nontestimonial portion of a drug  
4796 influence evaluation" means a drug influence evaluation conducted by  
4797 a drug recognition expert that does not include a verbal interview with  
4798 the subject.

4799 (b) Except as provided in subsection (c) of this section, in any criminal  
4800 prosecution for violation of subsection (a) of this section, evidence  
4801 respecting the amount of alcohol or drug in the defendant's blood or  
4802 urine at the time of the alleged offense, as shown by a chemical  
4803 [analysis] test of the defendant's breath, blood or urine, shall be  
4804 admissible and competent provided: (1) The defendant was afforded a  
4805 reasonable opportunity to telephone an attorney prior to the  
4806 performance of the test and consented to the taking of the test upon  
4807 which such analysis is made; (2) a true copy of the report of the test  
4808 result was mailed to or personally delivered to the defendant within  
4809 twenty-four hours or by the end of the next regular business day, after  
4810 such result was known, whichever is later; (3) the test was performed  
4811 by or at the direction of a police officer according to methods and with  
4812 equipment approved by the Department of Emergency Services and  
4813 Public Protection and was performed in accordance with the regulations  
4814 adopted under subsection (d) of this section; (4) the device used for such  
4815 test was checked for accuracy in accordance with the regulations  
4816 adopted under subsection (d) of this section; (5) an additional chemical  
4817 test of the same type was performed at least ten minutes after the initial  
4818 test was performed or, if requested by the police officer for reasonable

4819 cause, an additional chemical test of a different type was performed,  
4820 including a test to detect the presence of a drug or drugs other than or  
4821 in addition to alcohol, provided the results of the initial test shall not be  
4822 inadmissible under this subsection if reasonable efforts were made to  
4823 have such additional test performed in accordance with the conditions  
4824 set forth in this subsection and (A) such additional test was not  
4825 performed or was not performed within a reasonable time, or (B) the  
4826 results of such additional test are not admissible for failure to meet a  
4827 condition set forth in this subsection; and (6) evidence is presented that  
4828 the test was commenced within two hours of operation. In any  
4829 prosecution under this section it shall be a rebuttable presumption that  
4830 the results of such chemical [analysis] test establish the ratio of alcohol  
4831 in the blood of the defendant at the time of the alleged offense, except  
4832 that if the results of the additional test indicate that the ratio of alcohol  
4833 in the blood of such defendant is ten-hundredths of one per cent or less  
4834 of alcohol, by weight, and is higher than the results of the first test,  
4835 evidence shall be presented that demonstrates that the test results and  
4836 the analysis thereof accurately indicate the blood alcohol content at the  
4837 time of the alleged offense.

4838 (c) In any prosecution for a violation of subdivision (1) of subsection  
4839 (a) of this section, reliable evidence respecting the amount of alcohol in  
4840 the defendant's blood or urine at the time of the alleged offense, as  
4841 shown by a chemical analysis of the defendant's blood, breath or urine,  
4842 otherwise admissible under subdivision (1) of subsection (b) of this  
4843 section, shall be admissible only at the request of the defendant.

4844 (d) The Commissioner of Emergency Services and Public Protection  
4845 shall ascertain the reliability of each method and type of device offered  
4846 for chemical testing [and analysis purposes] of blood, of breath and of  
4847 urine and certify those methods and types which [said] the  
4848 commissioner finds suitable for use in testing [and analysis] of blood,  
4849 breath and urine, respectively, in this state. The Commissioner of  
4850 Emergency Services and Public Protection shall adopt regulations, in  
4851 accordance with chapter 54, governing the conduct of chemical tests, the

4852 operation and use of chemical test devices, the training and certification  
4853 of operators of such devices and the drawing or obtaining of blood,  
4854 breath or urine samples as [said] the commissioner finds necessary to  
4855 protect the health and safety of persons who submit to chemical tests  
4856 and to insure reasonable accuracy in testing results. Such regulations  
4857 shall not require recertification of a police officer solely because such  
4858 officer terminates such officer's employment with the law enforcement  
4859 agency for which certification was originally issued and commences  
4860 employment with another such agency. A person qualified to withdraw  
4861 blood or any hospital, laboratory or other clinic employing or utilizing  
4862 the services of such a person shall not incur any civil liability as a result  
4863 of such activities if requested by a police officer acting in accordance  
4864 with this section or section 14-227c, as amended by this act, to withdraw  
4865 blood unless the actions of the person while performing such activities  
4866 constitute gross negligence.

4867 (e) (1) In any criminal prosecution for a violation of subsection (a) of  
4868 this section, evidence that the defendant refused to submit to a blood,  
4869 breath or urine test or the nontestimonial portion of a drug influence  
4870 evaluation requested in accordance with section 14-227b, as amended  
4871 by this act, shall be admissible provided the requirements of subsection  
4872 (b) of said section have been satisfied. If a case involving a violation of  
4873 subsection (a) of this section is tried to a jury, the court shall instruct the  
4874 jury as to any inference that may or may not be drawn from the  
4875 defendant's refusal to submit to [a blood, breath or urine test] such a test  
4876 or evaluation.

4877 (2) A drug recognition expert may, at the discretion of the court,  
4878 testify as to his or her opinion or otherwise as to the significance of any  
4879 symptoms of impairment or intoxication for which evidence has been  
4880 admitted or on the condition that such evidence be introduced.

4881 (3) In any prosecution for a violation of subdivision (1) of subsection  
4882 (a) of this section in which it is alleged that the defendant's operation of  
4883 a motor vehicle was impaired, in whole or in part, by consumption of  
4884 cannabis, cannabis products or THC, as those terms are defined in

4885 section 1 of this act, the court may take judicial notice that the ingestion  
4886 of THC (A) can impair a person's ability to operate a motor vehicle; (B)  
4887 can impair a person's motor function, reaction time, tracking ability,  
4888 cognitive attention, decision-making, judgment, perception, peripheral  
4889 vision, impulse control and memory; and (C) does not enhance a  
4890 person's ability to safely operate a motor vehicle.

4891 Sec. 117. Subsection (j) of section 14-227a of the general statutes is  
4892 repealed and the following is substituted in lieu thereof (*Effective April*  
4893 *1, 2022*):

4894 (j) In addition to any fine or sentence imposed pursuant to the  
4895 provisions of subsection (g) of this section, the court may order such  
4896 person to participate in an alcohol education and treatment program if  
4897 such person was operating a motor vehicle under the influence of  
4898 intoxicating liquor or under the influence of both intoxicating liquor and  
4899 any drug.

4900 Sec. 118. Section 14-227b of the general statutes is repealed and the  
4901 following is substituted in lieu thereof (*Effective April 1, 2022*):

4902 (a) Any person who operates a motor vehicle in this state shall be  
4903 deemed to have given such person's consent to: [a] (1) A chemical  
4904 [analysis] test of such person's blood, breath or urine; [and, if] and (2) a  
4905 nontestimonial portion of a drug influence evaluation conducted by a  
4906 drug recognition expert. If such person is a minor, such person's parent  
4907 or parents or guardian shall also be deemed to have given their consent  
4908 for such test or evaluation.

4909 [(b) If any such person, having been placed under arrest for a  
4910 violation of section 14-227a or 14-227m or subdivision (1) or (2) of  
4911 subsection (a) of section 14-227n, and thereafter, after being apprised of  
4912 such person's constitutional rights, having been requested to submit to  
4913 a blood, breath or urine test at the option of the police officer, having  
4914 been afforded a reasonable opportunity to telephone an attorney prior  
4915 to the performance of such test and having been informed that such

4916 person's license or nonresident operating privilege may be suspended  
4917 in accordance with the provisions of this section if such person refuses  
4918 to submit to such test, or if such person submits to such test and the  
4919 results of such test indicate that such person has an elevated blood  
4920 alcohol content, and that evidence of any such refusal shall be  
4921 admissible in accordance with subsection (e) of section 14-227a and may  
4922 be used against such person in any criminal prosecution, refuses to  
4923 submit to the designated test, the test shall not be given; provided, if the  
4924 person refuses or is unable to submit to a blood test, the police officer  
4925 shall designate the breath or urine test as the test to be taken. The police  
4926 officer shall make a notation upon the records of the police department  
4927 that such officer informed the person that such person's license or  
4928 nonresident operating privilege may be suspended if such person  
4929 refused to submit to such test or if such person submitted to such test  
4930 and the results of such test indicated that such person had an elevated  
4931 blood alcohol content.]

4932 (b) (1) A police officer who has placed a person under arrest for a  
4933 violation of section 14-227a, as amended by this act, 14-227m or  
4934 subdivision (1) or (2) of subsection (a) of section 14-227n may request  
4935 that such person submit to a blood, breath or urine test at the option of  
4936 the police officer, a drug influence evaluation conducted by a drug  
4937 recognition expert, or both, after such person has been (A) apprised of  
4938 such person's constitutional rights; (B) afforded a reasonable  
4939 opportunity to telephone an attorney prior to the performance of such  
4940 test or evaluation; (C) informed that evidence of any refusal to submit  
4941 to such test or evaluation shall be admissible in accordance with  
4942 subsection (e) of section 14-227a, as amended by this act, and may be  
4943 used against such person in any criminal prosecution, except that  
4944 refusal to submit to the testimonial portions of a drug influence  
4945 evaluation shall not be considered evidence of refusal of such evaluation  
4946 for purposes of any criminal prosecution; and (D) informed that such  
4947 person's license or operating privilege may be suspended in accordance  
4948 with the provisions of this section if (i) such person refuses to submit to  
4949 such test or the nontestimonial portion of a drug influence evaluation,

4950 (ii) such person submits to such test and the results of such test indicate  
4951 that such person has an elevated blood alcohol content, or (iii) the officer  
4952 concludes, through such officer's investigation, that such person was  
4953 operating a motor vehicle under the influence of intoxicating liquor or  
4954 any drug, or both.

4955 (2) If the person refuses to submit to any test or drug influence  
4956 evaluation, the test or evaluation shall not be given, except if the person  
4957 refuses or is unable to submit to a blood test, the police officer shall  
4958 designate another test to be taken. If a person submits to a breath test  
4959 and the results indicate that the person does not have an elevated blood  
4960 alcohol content, the police officer may request that the person submit to  
4961 a different type of test, except that if such person refuses or is unable to  
4962 submit to a blood test, the officer shall designate a urine test to be taken.  
4963 The police officer shall make a notation upon the records of the law  
4964 enforcement unit, as defined in section 7-294a, that such officer  
4965 informed the person that such person's license or operating privilege  
4966 may be suspended if (A) such person refused to submit to such test or  
4967 nontestimonial portion of a drug influence evaluation; (B) such person  
4968 submitted to such test and the results of such test indicated that such  
4969 person had an elevated blood alcohol content; or (C) the officer  
4970 concludes, through such officer's investigation, that such person was  
4971 operating a motor vehicle under the influence of intoxicating liquor or  
4972 any drug, or both.

4973 (c) If the person arrested refuses to submit to such test or [analysis]  
4974 nontestimonial portion of a drug influence evaluation or submits to such  
4975 test, [or analysis,] commenced within two hours of the time of operation,  
4976 and the results of such test [or analysis] indicate that such person has an  
4977 elevated blood alcohol content, the police officer, acting on behalf of the  
4978 Commissioner of Motor Vehicles, shall immediately revoke and take  
4979 possession of the motor vehicle operator's license or, if such person is  
4980 not licensed or is a nonresident, suspend the [nonresident] operating  
4981 privilege of such person, for a twenty-four-hour period. The police  
4982 officer shall prepare a report of the incident and shall mail or otherwise



4983 transmit in accordance with this subsection the report and a copy of the  
4984 results of any chemical test [or analysis] to the Department of Motor  
4985 Vehicles within three business days, except that failure of an officer to  
4986 mail or transmit such report within three business days shall not impact  
4987 a decision to suspend such person's license or operating privilege and  
4988 shall not render such report inadmissible at a hearing under this section.

4989 The report shall contain such information as prescribed by the  
4990 Commissioner of Motor Vehicles and shall be subscribed and sworn to  
4991 under penalty of false statement as provided in section 53a-157b by the  
4992 arresting officer. If the person arrested refused to submit to such test or  
4993 [analysis] evaluation, the report shall be endorsed by a third person who  
4994 witnessed such refusal. The report shall set forth the grounds for the  
4995 officer's belief that there was probable cause to arrest such person for a  
4996 violation of section 14-227a, as amended by this act, or 14-227m or  
4997 subdivision (1) or (2) of subsection (a) of section 14-227n and shall state  
4998 that such person had refused to submit to such test or [analysis]  
4999 evaluation when requested by such police officer to do so or that such  
5000 person submitted to such test, [or analysis,] commenced within two  
5001 hours of the time of operation, and the results of such test [or analysis]  
5002 indicated that such person had an elevated blood alcohol content. The  
5003 Commissioner of Motor Vehicles may accept a police report under this  
5004 subsection that is prepared and transmitted as an electronic record,  
5005 including electronic signature or signatures, subject to such security  
5006 procedures as the commissioner may specify and in accordance with the  
5007 provisions of sections 1-266 to 1-286, inclusive. In any hearing  
5008 conducted pursuant to the provisions of subsection (g) of this section, it  
5009 shall not be a ground for objection to the admissibility of a police report  
5010 that it is an electronic record prepared by electronic means.

5011 [(d) If the person arrested submits to a blood or urine test at the  
5012 request of the police officer, and the specimen requires laboratory  
5013 analysis in order to obtain the test results, the police officer shall not take  
5014 possession of the motor vehicle operator's license of such person or,  
5015 except as provided in this subsection, follow the procedures subsequent  
5016 to taking possession of the operator's license as set forth in subsection

5017 (c) of this section. If the test results indicate that such person has an  
5018 elevated blood alcohol content, the police officer, immediately upon  
5019 receipt of the test results, shall notify the Commissioner of Motor  
5020 Vehicles and submit to the commissioner the written report required  
5021 pursuant to subsection (c) of this section.]

5022 (d) If a police officer who has placed a person under arrest for a  
5023 violation of section 14-227a, as amended by this act, 14-227m or  
5024 subdivision (1) or (2) of subsection (a) of section 14-227n does not  
5025 request that such person submit to a blood, breath or urine test under  
5026 subsection (b) of this section, or obtains results from a test administered  
5027 under subsection (b) of this section that indicate that the person does not  
5028 have an elevated blood alcohol content, such officer shall:

5029 (1) Advise such person that such person's license or operating  
5030 privilege may be suspended in accordance with the provisions of this  
5031 section if such police officer concludes, through such officer's  
5032 investigation, that such person was operating a motor vehicle under the  
5033 influence of intoxicating liquor or any drug, or both; and

5034 (2) Submit a report to the commissioner in accordance with the  
5035 procedure set forth in subsection (c) of this section and, if such report  
5036 contains the results of a blood, breath or urine test that does not show  
5037 an elevated blood alcohol content, such report shall conform to the  
5038 requirements in subsection (c) of this section for reports that contain  
5039 results showing an elevated blood alcohol content. In any report  
5040 submitted under this subdivision, the officer shall document (A) the  
5041 basis for the officer's belief that there was probable cause to arrest such  
5042 person for a violation of section 14-227a, as amended by this act, or 14-  
5043 227m or subdivision (1) or (2) of subsection (a) of section 14-227n, and  
5044 (B) whether the officer concluded, through such officer's investigation,  
5045 that the person was operating a motor vehicle under the influence of  
5046 intoxicating liquor or any drug, or both. With such report, the officer  
5047 may submit other supporting documentation indicating the person's  
5048 intoxication by liquor or any drug, or both. If the officer concludes,  
5049 through such officer's investigation, that the person was operating a

5050 motor vehicle under the influence of intoxicating liquor or any drug, or  
5051 both, the officer shall immediately revoke and take possession of the  
5052 motor vehicle operator's license or, if such person is not licensed or is a  
5053 nonresident, suspend the operating privilege of such person for a  
5054 twenty-four-hour period.

5055 (e) (1) Except as provided in subdivision (2) of this subsection, upon  
5056 receipt of [such] a report submitted under subsection (c) or (d) of this  
5057 section, the [Commissioner of Motor Vehicles] commissioner may  
5058 suspend any operator's license or [nonresident] operating privilege of  
5059 such person effective as of a date certain, which date certain shall be not  
5060 later than thirty days [after] from the later of the date such person  
5061 received (A) notice of such person's arrest by the police officer, or (B) the  
5062 results of a blood or urine test or a drug influence evaluation. Any  
5063 person whose operator's license or [nonresident] operating privilege has  
5064 been suspended in accordance with this subdivision shall automatically  
5065 be entitled to a hearing before the commissioner to be held in accordance  
5066 with the provisions of chapter 54 and prior to the effective date of the  
5067 suspension. The commissioner shall send a suspension notice to such  
5068 person informing such person that such person's operator's license or  
5069 [nonresident] operating privilege is suspended as of a date certain and  
5070 that such person is entitled to a hearing prior to the effective date of the  
5071 suspension and may schedule such hearing by contacting the  
5072 Department of Motor Vehicles not later than seven days after the date  
5073 of mailing of such suspension notice.

5074 (2) [If the person arrested (A) is] Upon receipt of a report that (A) the  
5075 person's arrest involved [in] an accident resulting in a fatality, or (B) the  
5076 person has previously had such person's operator's license or  
5077 [nonresident] operating privilege suspended under the provisions of  
5078 section 14-227a, as amended by this act, 14-227m or 14-227n during the  
5079 ten-year period preceding the present arrest, [upon receipt of such  
5080 report, the Commissioner of Motor Vehicles] the commissioner may  
5081 suspend any operator's license or [nonresident] operating privilege of  
5082 such person effective as of the date specified in a notice of such

5083 suspension to such person. [Any] A person whose operator's license or  
5084 [nonresident] operating privilege has been suspended in accordance  
5085 with this subdivision shall automatically be entitled to a hearing before  
5086 the commissioner, to be held in accordance with the provisions of  
5087 chapter 54. The commissioner shall send a suspension notice to such  
5088 person informing such person that such person's operator's license or  
5089 [nonresident] operating privilege is suspended as of the date specified  
5090 in such suspension notice, and that such person is entitled to a hearing  
5091 and may schedule such hearing by contacting the Department of Motor  
5092 Vehicles not later than seven days after the date of mailing of such  
5093 suspension notice. Any suspension issued under this subdivision shall  
5094 remain in effect until such suspension is affirmed under subsection (f)  
5095 of this section or such operator's license or [nonresident] operating  
5096 privilege is reinstated in accordance with [subsections (f) and]  
5097 subsection (h) of this section.

5098 (f) If such person does not contact the department to schedule a  
5099 hearing, the commissioner shall affirm the suspension contained in the  
5100 suspension notice for the appropriate period specified in subsection (i)  
5101 of this section.

5102 (g) (1) If such person contacts the department to schedule a hearing,  
5103 the department shall assign a date, time and place for the hearing, which  
5104 date shall be prior to the effective date of the suspension, except that,  
5105 with respect to a person whose operator's license or [nonresident]  
5106 operating privilege is suspended in accordance with subdivision (2) of  
5107 subsection (e) of this section, such hearing shall be scheduled not later  
5108 than thirty days after such person contacts the department. At the  
5109 request of such person, the hearing officer or the department and upon  
5110 a showing of good cause, the commissioner may grant one or more  
5111 continuances. [The hearing]

5112 (2) A hearing based on a report submitted under subsection (c) of this  
5113 section shall be limited to a determination of the following issues: [(1)]  
5114 (A) Did the police officer have probable cause to arrest the person for  
5115 operating a motor vehicle while under the influence of intoxicating

5116 liquor or any drug, or both; [(2)] (B) was such person placed under  
5117 arrest; [(3)] (C) did such person (i) refuse to submit to such test or  
5118 [analysis or did such person] nontestimonial portion of a drug influence  
5119 evaluation, or (ii) submit to such test, [or analysis,] commenced within  
5120 two hours of the time of operation, and the results of such test [or  
5121 analysis] indicated that such person had an elevated blood alcohol  
5122 content; and [(4)] (D) was such person operating the motor vehicle.

5123 (3) A hearing based on a report submitted under subsection (d) of this  
5124 section shall be limited to a determination of the following issues: (A)  
5125 Did the police officer have probable cause to arrest the person for  
5126 operating a motor vehicle while under the influence of intoxicating  
5127 liquor or any drug, or both; (B) was such person placed under arrest; (C)  
5128 is there substantial evidence to conclude that such person was operating  
5129 a motor vehicle under the influence of intoxicating liquor or any drug,  
5130 or both; and (D) was such person operating the motor vehicle.

5131 (4) In [the] a hearing under this subsection, the results of the test, [or  
5132 analysis] if administered, shall be sufficient to indicate the ratio of  
5133 alcohol in the blood of such person at the time of operation, provided  
5134 such test was commenced within two hours of the time of operation.  
5135 The fees of any witness summoned to appear at [the] a hearing under  
5136 this subsection shall be the same as provided by the general statutes for  
5137 witnesses in criminal cases. Notwithstanding the provisions of  
5138 subsection (a) of section 52-143, any subpoena summoning a police  
5139 officer as a witness shall be served not less than seventy-two hours prior  
5140 to the designated time of the hearing.

5141 (5) In a hearing based on a report submitted under subsection (d) of  
5142 this section, evidence of operation under the influence of intoxicating  
5143 liquor or any drug, or both shall be admissible. Such evidence may  
5144 include, but need not be limited to, (A) the police officer's observations  
5145 of intoxication, as documented in a report submitted to the  
5146 commissioner under subsection (d) of this section; (B) the results of any  
5147 chemical test administered under this section or a toxicology report  
5148 certified by the Division of Scientific Services within the Department of

5149 Emergency Services and Public Protection; (C) hospital or medical  
5150 records obtained in accordance with subsection (j) of this section or by  
5151 the consent of the operator; (D) the results of any tests conducted by, or  
5152 the report of, an officer trained in advanced roadside impaired driving  
5153 enforcement; or (E) reports of drug recognition experts.

5154 (h) If, after [such] a hearing under subdivision (2) of subsection (g) of  
5155 this section, the commissioner finds in the negative on any one of the  
5156 [said] issues [in the negative] specified in subparagraph (A), (B), (C) or  
5157 (D) of said subdivision, the commissioner shall reinstate such license or  
5158 operating privilege. If, after a hearing under subdivision (3) of  
5159 subsection (g) of this section, the commissioner finds in the negative on  
5160 any one of the issues specified in subparagraph (A), (B), (C) or (D) of  
5161 said subdivision, the commissioner shall reinstate such license or  
5162 operating privilege. If, after such hearing under subdivision (2) or (3) of  
5163 subsection (g) of this section, the commissioner does not find on any one  
5164 of [the] said issues in the negative or if such person fails to appear at  
5165 such hearing, the commissioner shall affirm the suspension contained  
5166 in the suspension notice for the appropriate period specified in  
5167 subsection (i) of this section. The commissioner shall render a decision  
5168 at the conclusion of such hearing and send a notice of the decision by  
5169 bulk certified mail to such person. The notice of such decision sent by  
5170 bulk certified mail to the address of such person as shown by the records  
5171 of the commissioner shall be sufficient notice to such person that such  
5172 person's operator's license or [nonresident] operating privilege is  
5173 reinstated or suspended, as the case may be.

5174 (i) (1) The commissioner shall suspend the operator's license or  
5175 [nonresident] operating privilege of a person who did not contact the  
5176 department to schedule a hearing, who failed to appear at a hearing, or  
5177 against whom a decision was issued, after a hearing, pursuant to  
5178 subsection (h) of this section, as of the effective date contained in the  
5179 suspension notice, for a period of forty-five days. As a condition for the  
5180 restoration of such operator's license or [nonresident] operating  
5181 privilege, such person shall be required to install an ignition interlock

5182 device on each motor vehicle owned or operated by such person and,  
5183 upon such restoration, be prohibited from operating a motor vehicle  
5184 unless such motor vehicle is equipped with a functioning, approved  
5185 ignition interlock device, as defined in section 14-227j, for the longer of  
5186 either (A) the period prescribed in subdivision (2) of this subsection for  
5187 the present arrest and suspension, or (B) the period prescribed in  
5188 subdivision (1), (2) or (3) of subsection (g) of section 14-227a or  
5189 subdivision (1), (2) or (3) of subsection (c) of section 14-227m or  
5190 subdivision (1) or (2) of subsection (c) of section 14-227n for the present  
5191 arrest and conviction, if any.

5192 (2) (A) A person twenty-one years of age or older at the time of the  
5193 arrest who submitted to a test [or analysis] and the results of such test  
5194 [or analysis] indicated that such person had an elevated blood alcohol  
5195 content, or was found to have been operating a motor vehicle under the  
5196 influence of intoxicating liquor or any drug, or both based on a report  
5197 filed pursuant to subsection (d) of this section, shall install and maintain  
5198 an ignition interlock device for the following periods: (i) For a first  
5199 suspension under this section, six months; (ii) for a second suspension  
5200 under this section, one year; and (iii) for a third or subsequent  
5201 suspension under this section, two years; (B) a person under twenty-one  
5202 years of age at the time of the arrest who submitted to a test [or analysis]  
5203 and the results of such test [or analysis] indicated that such person had  
5204 an elevated blood alcohol content, or was found to have been operating  
5205 a motor vehicle under the influence of intoxicating liquor or any drug,  
5206 or both based on a report filed pursuant to subsection (d) of this section,  
5207 shall install and maintain an ignition interlock device for the following  
5208 periods: (i) For a first suspension under this section, one year; (ii) for a  
5209 second suspension under this section, two years; and (iii) for a third or  
5210 subsequent suspension under this section, three years; and (C) a person,  
5211 regardless of age, who refused to submit to a test or [analysis]  
5212 nontestimonial portion of a drug influence evaluation shall install and  
5213 maintain an ignition interlock device for the following periods: (i) For a  
5214 first suspension under this section, one year; (ii) for a second suspension  
5215 under this section, two years; and (iii) for a third or subsequent

5216 suspension, under this section, three years.

5217 (3) Notwithstanding the provisions of subdivisions (1) and (2) of this  
5218 subsection, a person whose motor vehicle operator's license or  
5219 [nonresident] operating privilege has been permanently revoked upon  
5220 a third offense pursuant to subsection (g) of section 14-227a or  
5221 subsection (c) of section 14-227m shall be subject to the penalties  
5222 prescribed in subdivision (2) of subsection (i) of section 14-111.

5223 (j) Notwithstanding the provisions of subsections (b) to (i), inclusive,  
5224 of this section, any police officer who obtains the results of a [chemical  
5225 analysis] test of a blood sample taken from or a urine sample provided  
5226 by an operator of a motor vehicle who was involved in an accident and  
5227 suffered or allegedly suffered physical injury in such accident, or who  
5228 was otherwise deemed by a police officer to require treatment or  
5229 observation at a hospital, shall notify the [Commissioner of Motor  
5230 Vehicles] commissioner and submit to the commissioner a written  
5231 report if such results indicate that such person had an elevated blood  
5232 alcohol content, or any quantity of an intoxicating liquor or any drug, or  
5233 both, in such person's blood, and if such person was arrested for  
5234 violation of section 14-227a, as amended by this act, or 14-227m or  
5235 subdivision (1) or (2) of subsection (a) of section 14-227n. The report  
5236 shall be made on a form approved by the commissioner containing such  
5237 information as the commissioner prescribes, and shall be subscribed and  
5238 sworn to under penalty of false statement, as provided in section 53a-  
5239 157b, by the police officer. The commissioner may, after notice and an  
5240 opportunity for hearing, which shall be conducted by a hearing officer  
5241 on behalf of the commissioner in accordance with chapter 54, suspend  
5242 the motor vehicle operator's license or [nonresident] operating privilege  
5243 of such person for the appropriate period of time specified in subsection  
5244 (i) of this section and require such person to install and maintain an  
5245 ignition interlock device for the appropriate period of time prescribed  
5246 in subsection (i) of this section. Each hearing conducted under this  
5247 subsection shall be limited to a determination of the following issues: (1)  
5248 Whether the police officer had probable cause to arrest the person for



5249 operating a motor vehicle while under the influence of intoxicating  
5250 liquor or drug, or both; (2) whether such person was placed under  
5251 arrest; (3) whether such person was operating the motor vehicle; (4)  
5252 whether the results of the analysis of the blood or urine of such person  
5253 indicate that such person had an elevated blood alcohol content, or there  
5254 is substantial evidence to conclude that the person was operating a  
5255 motor vehicle under the influence of intoxicating liquor or any drug, or  
5256 both; and (5) in the event that a blood sample was taken, whether the  
5257 blood sample was obtained in accordance with conditions for  
5258 admissibility and competence as evidence as set forth in subsection (k)  
5259 of section 14-227a. If, after such hearing, the commissioner finds on any  
5260 one of the said issues in the negative, the commissioner shall not impose  
5261 a suspension. The fees of any witness summoned to appear at the  
5262 hearing shall be the same as provided by the general statutes for  
5263 witnesses in criminal cases, as provided in section 52-260.

5264 (k) The provisions of this section shall apply with the same effect to  
5265 the refusal by any person to submit to an additional chemical test as  
5266 provided in subparagraph (E) of subdivision [(5)] (1) of subsection (b)  
5267 of section 14-227a, as amended by this act.

5268 (l) The provisions of this section shall not apply to any person whose  
5269 physical condition is such that, according to competent medical advice,  
5270 such test would be inadvisable.

5271 (m) The state shall pay the reasonable charges of any physician who,  
5272 at the request of a [municipal police department] law enforcement unit,  
5273 as defined in section 7-294a, takes a blood sample for purposes of a test  
5274 under the provisions of this section.

5275 (n) For the purposes of this section, "elevated blood alcohol content"  
5276 means (1) a ratio of alcohol in the blood of such person that is eight-  
5277 hundredths of one per cent or more of alcohol, by weight, (2) if such  
5278 person is operating a commercial motor vehicle, a ratio of alcohol in the  
5279 blood of such person that is four-hundredths of one per cent or more of  
5280 alcohol, by weight, or (3) if such person is less than twenty-one years of

5281 age, a ratio of alcohol in the blood of such person that is two-hundredths  
5282 of one per cent or more of alcohol, by weight.

5283 (o) The Commissioner of Motor Vehicles shall adopt regulations, in  
5284 accordance with chapter 54, to implement the provisions of this section.

5285 Sec. 119. Section 14-227c of the general statutes is repealed and the  
5286 following is substituted in lieu thereof (*Effective April 1, 2022*):

5287 (a) As part of the investigation of any motor vehicle accident resulting  
5288 in the death of a person, the Chief Medical Examiner, Deputy Chief  
5289 Medical Examiner, an associate medical examiner, a pathologist as  
5290 specified in section 19a-405, or an authorized assistant medical  
5291 examiner, as the case may be, shall order that a blood sample be taken  
5292 from the body of any operator or pedestrian who dies as a result of such  
5293 accident. Such blood samples shall be examined for the presence and  
5294 concentration of alcohol and any drug by the Division of Scientific  
5295 Services within the Department of Emergency Services and Public  
5296 Protection or by the Office of the Chief Medical Examiner, or by any  
5297 forensic toxicology laboratory pursuant to an agreement with the office.  
5298 Nothing in this subsection or section 19a-406 shall be construed as  
5299 requiring such medical examiner to perform an autopsy in connection  
5300 with obtaining such blood samples.

5301 (b) [A blood or breath sample shall be obtained from any surviving  
5302 operator whose motor vehicle is involved in an accident resulting in the  
5303 serious physical injury, as defined in section 53a-3, or death of another  
5304 person, if] If any surviving operator whose motor vehicle is involved in  
5305 an accident resulting in the serious physical injury, as defined in section  
5306 53a-3, or death of another person, and (1) a police officer has probable  
5307 cause to believe that such operator operated such motor vehicle while  
5308 under the influence of intoxicating liquor or any drug, or both, or (2)  
5309 such operator has been charged with a motor vehicle violation in  
5310 connection with such accident and a police officer has a reasonable and  
5311 articulable suspicion that such operator operated such motor vehicle  
5312 while under the influence of intoxicating liquor or any drug, or both;

5313        (A) A blood, breath or urine sample shall be obtained from such  
5314 surviving operator. The test shall be performed by or at the direction of  
5315 a police officer according to methods and with equipment approved by  
5316 the Department of Emergency Services and Public Protection and shall  
5317 be performed by a person certified or recertified for such purpose by  
5318 said department or recertified by persons certified as instructors by the  
5319 Commissioner of Emergency Services and Public Protection. The  
5320 equipment used for such test shall be checked for accuracy by a person  
5321 certified by the Department of Emergency Services and Public  
5322 Protection immediately before and after such test is performed. If a  
5323 blood test is performed, it shall be on a blood sample taken by a person  
5324 licensed to practice medicine and surgery in this state, a qualified  
5325 laboratory technician, a registered nurse, a physician assistant or a  
5326 phlebotomist. [The blood samples] A blood sample obtained from an  
5327 operator pursuant to this subsection shall be examined for the presence  
5328 and concentration of alcohol and any drug by the Division of Scientific  
5329 Services within the Department of Emergency Services and Public  
5330 Protection; and

5331        (B) A drug recognition expert shall conduct a drug influence  
5332 evaluation of such surviving operator, provided such operator is not  
5333 seriously injured or otherwise unable to take such evaluation as a result  
5334 of the accident.

5335        (c) Each police officer who obtains from a surviving operator any  
5336 blood, breath or urine sample or a drug influence evaluation conducted  
5337 on such operator pursuant to subsection (b) of this section shall submit  
5338 to the Commissioner of Motor Vehicles a written report providing the  
5339 results of such sample or evaluation on a form approved by the  
5340 commissioner. The commissioner may, after notice and an opportunity  
5341 for a hearing held in accordance with chapter 54 and section 14-227b, as  
5342 amended by this act, suspend the motor vehicle operator's license or  
5343 operating privilege of such person and require such person to install and  
5344 maintain an ignition interlock device as provided for in subsection (i) of  
5345 section 14-227b, as amended by this act. Such hearing shall be limited to

5346 a determination of the following issues: (1) Was the person operating  
5347 the motor vehicle; (2) was the person's sample obtained in accordance  
5348 with, or drug influence evaluation conducted pursuant to, the  
5349 provisions of subsection (b) of this section; and (3) was the examined  
5350 sample found to have an elevated blood alcohol content, as defined in  
5351 section 14-227b, as amended by this act, or was there substantial  
5352 evidence that the person was operating the motor vehicle under the  
5353 influence of intoxicating liquor or any drug, or both.

5354 (d) In any motor vehicle accident resulting in the death of a person,  
5355 the law enforcement unit, as defined in section 7-294a, responding to the  
5356 accident shall assign an officer trained in advanced roadside impaired  
5357 driving enforcement to respond, if such an officer is available.

5358 Sec. 120. Subsection (c) of section 14-44k of the general statutes is  
5359 repealed and the following is substituted in lieu thereof (*Effective April*  
5360 *1, 2022*):

5361 (c) In addition to any other penalties provided by law, and except as  
5362 provided in subsection (d) of this section, a person is disqualified from  
5363 operating a commercial motor vehicle for one year if the commissioner  
5364 finds that such person (1) has refused to submit to a test to determine  
5365 such person's blood alcohol concentration while operating any motor  
5366 vehicle [, or has failed such a test when given,] or to a nontestimonial  
5367 portion of a drug influence evaluation conducted by a drug recognition  
5368 expert, (2) has an elevated blood alcohol content based on such a test  
5369 pursuant to section 14-227b, as amended by this act, or (3) was found to  
5370 have been operating under the influence of intoxicating liquor or any  
5371 drug, or both based on a report filed pursuant to the provisions of  
5372 subsection (d) of section 14-227b, as amended by this act, or pursuant to  
5373 the provisions of a law of any other state that is deemed by the  
5374 commissioner to be substantially similar to section 14-227b, as amended  
5375 by this act. For the purpose of this subsection, [a person shall be deemed  
5376 to have failed such a test if, when driving a commercial motor vehicle,  
5377 the ratio of alcohol in the blood of such person was four-hundredths of  
5378 one per cent or more of alcohol, by weight, or if, when driving any other

5379 motor vehicle, the ratio of alcohol in the blood of such person was eight-  
5380 hundredths of one per cent or more of alcohol, by weight] "drug  
5381 recognition expert" and "nontestimonial portion of a drug influence  
5382 evaluation" have the same meanings as provided in section 14-227a, as  
5383 amended by this act.

5384 Sec. 121. (NEW) (*Effective July 1, 2021*) The state Traffic Safety  
5385 Resource Prosecutor, in consultation with the Department of  
5386 Transportation, the Department of Motor Vehicles, the state-wide drug  
5387 recognition expert coordinator, and the Connecticut Police Chiefs  
5388 Association, shall seek any guidance available from the National  
5389 Highway Traffic Safety Administration, and shall (1) develop  
5390 educational materials and programs about the drug recognition expert  
5391 program and drug influence evaluations, and (2) make such materials  
5392 and programs available to the Judicial Branch and the Connecticut  
5393 Judges Association.

5394 Sec. 122. Section 15-140q of the general statutes is repealed and the  
5395 following is substituted in lieu thereof (*Effective April 1, 2022*):

5396 (a) Any person who operates a vessel in this state shall be deemed to  
5397 have consented to (1) a chemical [analysis] test of such person's blood,  
5398 breath or urine, [and if] and (2) a nontestimonial portion of a drug  
5399 influence evaluation conducted by a drug recognition expert. If such  
5400 person is a minor, such person's parent or parents or guardian shall also  
5401 be deemed to have given their consent for such [an analysis of the  
5402 minor's blood, breath or urine] test or evaluation.

5403 [(b) If any such person, having been placed under arrest for: (1)  
5404 Violating subsection (b) of section 53-206d; (2) operating a vessel upon  
5405 the waters of this state while under the influence of intoxicating liquor  
5406 or any drug, or both; (3) operating a vessel upon the waters of this state  
5407 while such person has an elevated blood alcohol content, and thereafter,  
5408 after being apprised of such person's constitutional rights, having been  
5409 requested to submit to a blood, breath or urine test at the option of the  
5410 police officer, having been afforded a reasonable opportunity to

5411 telephone an attorney prior to the performance of such test and having  
5412 been informed that such person's safe boating certificate, right to  
5413 operate a vessel that requires a safe boating certificate for operation or  
5414 certificate of personal watercraft operation issued by the commissioner  
5415 as a condition of operating a vessel shall be suspended in accordance  
5416 with the provisions of this section if such person refuses to submit to  
5417 such test or if such person submits to such test and the results of such  
5418 test indicate that such person has an elevated blood alcohol content and  
5419 that evidence of any such refusal shall be admissible in accordance with  
5420 subsection (d) of section 15-140r, and may be used against such person  
5421 in any criminal prosecution, refuses to submit to the designated test, the  
5422 test shall not be given; provided, if such person refuses or is unable to  
5423 submit to a blood test, the peace officer shall designate the breath or  
5424 urine test as the test to be taken. The peace officer shall make a notation  
5425 upon the records of the police department that such officer informed  
5426 such person that such person's safe boating certificate, right to operate  
5427 a vessel that requires a safe boating certificate for operation or certificate  
5428 of personal watercraft operation would be suspended if such person  
5429 refused to submit to such test or if such person submitted to such test  
5430 and the results of such test indicated that such person has an elevated  
5431 blood alcohol content.]

5432 (b) (1) A peace officer who has placed a person under arrest for  
5433 violating subsection (b) of section 53-206d; operating a vessel upon the  
5434 waters of this state while under the influence of intoxicating liquor or  
5435 any drug, or both; or operating a vessel upon the waters of this state  
5436 while such person has an elevated blood alcohol content, may request  
5437 that such person submit to a blood, breath or urine test at the option of  
5438 the peace officer, a drug influence evaluation conducted by a drug  
5439 recognition expert, or both, after such person has been (A) apprised of  
5440 such person's constitutional rights, (B) afforded a reasonable  
5441 opportunity to telephone an attorney prior to the performance of such  
5442 test or evaluation, (C) informed that evidence of any refusal to submit  
5443 to such test or evaluation shall be admissible in accordance with  
5444 subsection (d) of section 15-140r, as amended by this act, and may be

5445 used against such person in any criminal prosecution, except that  
5446 refusal to submit to the testimonial portions of a drug influence  
5447 evaluation shall not be considered evidence of refusal of such evaluation  
5448 for purposes of any criminal prosecution, and (D) informed that such  
5449 person's safe boating certificate, right to operate a vessel that requires a  
5450 safe boating certificate for operation or certificate of personal watercraft  
5451 operation issued by the commissioner as a condition of operating a  
5452 vessel may be suspended in accordance with the provisions of this  
5453 section if (i) such person refuses to submit to such test or nontestimonial  
5454 portion of a drug influence evaluation, (ii) such person submits to such  
5455 test and the results of such test indicate that such person has an elevated  
5456 blood alcohol content, or (iii) the officer concludes, through such  
5457 officer's investigation, that such person was operating a vessel under the  
5458 influence of intoxicating liquor or any drug, or both.

5459 (2) If the person refuses to submit to any test or drug influence  
5460 evaluation, the test or evaluation shall not be given, except that if the  
5461 person refuses or is unable to submit to a blood test, the peace officer  
5462 shall designate another test to be taken. If a person submits to a breath  
5463 test and the results indicate that the person does not have an elevated  
5464 blood alcohol content, the peace officer may request that the person  
5465 submit to a different type of test, except that if the person refuses or is  
5466 unable to submit to a blood test, the peace officer shall designate a urine  
5467 test to be taken. The peace officer shall make a notation upon the records  
5468 of the law enforcement unit, as defined in section 7-294a, that such  
5469 officer informed the person that such person's safe boating certificate,  
5470 right to operate a vessel that requires a safe boating certificate for  
5471 operation or certificate of personal watercraft operation may be  
5472 suspended if such person (A) refused to submit to such test or the  
5473 nontestimonial portion of a drug influence evaluation; (B) submitted to  
5474 such test and the results of such test indicated that such person had an  
5475 elevated blood alcohol content; or (C) the officer concludes, through  
5476 such officer's investigation, that such person was operating a vessel  
5477 under the influence of intoxicating liquor or any drug, or both.

5478 (c) (1) If the person arrested refuses to submit to such test or [analysis]  
5479 nontestimonial portion of a drug influence evaluation, or submits to  
5480 such test [or analysis] and the results of such test [or analysis] indicate  
5481 that at the time of the alleged offense such person had an elevated blood  
5482 alcohol content, the peace officer shall immediately revoke the safe  
5483 boating certificate, right to operate a vessel that requires a safe boating  
5484 certificate for operation or certificate of personal watercraft operation, if  
5485 any, of such person for a twenty-four-hour period. The peace officer  
5486 shall prepare a written report of the incident and shall mail the report,  
5487 together with any certificate taken into possession and a copy of the  
5488 results of any chemical test, [or analysis,] to the commissioner within  
5489 three business days, except that failure of an officer to mail or transmit  
5490 such report within three business days shall not impact a decision to  
5491 suspend a safe boating certificate, right to operate a vessel that requires  
5492 a safe boating certificate for operation or certificate of personal  
5493 watercraft operation issued by the commissioner as a condition of  
5494 operating a vessel and shall not render such report inadmissible at a  
5495 hearing under this section. The report shall be made on a form approved  
5496 by the commissioner and shall be subscribed and sworn to under  
5497 penalty of false statement as provided in section 53a-157b by the peace  
5498 officer before whom such refusal was made or who administered or  
5499 caused to be administered such test, [or analysis.] If the person arrested  
5500 refused to submit to such test or [analysis] evaluation, the report shall  
5501 be endorsed by a third person who witnessed such refusal. The report  
5502 shall set forth the grounds for the officer's belief that there was probable  
5503 cause to arrest such person for operating such vessel while under the  
5504 influence of intoxicating liquor or any drug, or both, or while such  
5505 person has an elevated blood alcohol content and shall state that such  
5506 person refused to submit to such test or [analysis] evaluation when  
5507 requested by such peace officer or that such person submitted to such  
5508 test [or analysis] and the results of such test [or analysis] indicated that  
5509 such person at the time of the alleged offense had an elevated blood  
5510 alcohol content.

5511 [(d) If the person arrested submits to a blood or urine test at the



5512 request of the peace officer, and the specimen requires laboratory  
5513 analysis in order to obtain the test results, and if the test results indicate  
5514 that such person has an elevated blood alcohol content, the peace officer,  
5515 immediately upon receipt of the test results, shall notify and submit to  
5516 the commissioner the written report required pursuant to subsection (c)  
5517 of this section.]

5518 (d) If a peace officer has placed a person under arrest for violating  
5519 subsection (b) of section 53-206d; operating a vessel upon the waters of  
5520 this state while under the influence of intoxicating liquor or any drug,  
5521 or both; or operating a vessel upon the waters of this state while such  
5522 person has an elevated blood alcohol content and does not request that  
5523 such person submit to a blood, breath or urine test under subsection (b)  
5524 of this section, or obtains test results from a test administered under  
5525 subsection (b) of this section that indicate that the person does not have  
5526 an elevated blood alcohol content, such officer shall:

5527 (1) Advise such person that such person's safe boating certificate,  
5528 right to operate a vessel that requires a safe boating certificate for  
5529 operation or certificate of personal watercraft operation issued by the  
5530 commissioner as a condition of operating a vessel may be suspended in  
5531 accordance with the provisions of this section if such officer concludes,  
5532 through such officer's investigation, that such person was operating a  
5533 vessel under the influence of intoxicating liquor or any drug, or both;  
5534 and

5535 (2) Submit a report to the commissioner in accordance with the  
5536 procedure set forth in subsection (c) of this section and, if such report  
5537 contains the results of a blood, breath or urine test that does not show  
5538 an elevated blood alcohol content, such report shall conform to the  
5539 requirements in subsection (c) of this section for reports that contain  
5540 results showing an elevated blood alcohol content. In any report  
5541 submitted under this subdivision, the officer shall document (A) the  
5542 basis for the officer's belief that there was probable cause to arrest such  
5543 person for a violation of subsection (b) of section 53-206d; operating a  
5544 vessel upon the waters of this state while under the influence of

5545 intoxicating liquor or any drug, or both; or operating a vessel upon the  
5546 waters of this state while such person has an elevated blood alcohol  
5547 content, and (B) whether the officer concludes, through such officer's  
5548 investigation, that the person was operating a vessel under the influence  
5549 of intoxicating liquor or any drug, or both. With such report, the officer  
5550 may submit other supporting documentation indicating the person's  
5551 intoxication by liquor or any drug, or both. If the officer concludes,  
5552 through such officer's investigation, that the person was operating a  
5553 vessel under the influence of intoxicating liquor or any drug, or both,  
5554 the officer shall immediately revoke and take possession of the person's  
5555 safe boating certificate, right to operate a vessel that requires a safe  
5556 boating certificate for operation or certificate of personal watercraft  
5557 operation issued by the commissioner as a condition of operating a  
5558 vessel, for a twenty-four-hour period.

5559 (e) Upon receipt of [such] a report submitted under subsection (c) or  
5560 (d) of this section, the commissioner shall suspend the safe boating  
5561 certificate, right to operate a vessel that requires a safe boating certificate  
5562 for operation or certificate of personal watercraft operation of such  
5563 person effective as of a date certain, and such date certain shall be no  
5564 later than thirty-five days [after] from the later of the date such person  
5565 received (1) notice of such person's arrest by the peace officer, or (2) the  
5566 results of a blood or urine test or a drug influence evaluation. Any  
5567 person whose safe boating certificate, right to operate a vessel that  
5568 requires a safe boating certificate for operation or certificate of personal  
5569 watercraft operation is suspended in accordance with this subsection  
5570 shall be entitled to a hearing before the commissioner to be held prior to  
5571 the effective date of the suspension. The commissioner shall send a  
5572 suspension notice to such person informing such person that such  
5573 person's safe boating certificate, right to operate a vessel that requires a  
5574 safe boating certificate for operation or certificate of personal watercraft  
5575 operation is suspended and shall specify the date of such suspension  
5576 and that such person is entitled to a hearing prior to the effective date of  
5577 the suspension and may schedule such hearing by contacting the  
5578 commissioner not later than seven days after the date of mailing of such

5579 suspension notice.

5580 (f) If such person does not contact the department to schedule a  
5581 hearing, the commissioner shall affirm the suspension contained in the  
5582 suspension notice for the appropriate period specified in subsection (i)  
5583 of this section.

5584 (g) (1) If such person contacts the department to schedule a hearing,  
5585 the commissioner shall assign a date, time and place for the hearing,  
5586 which date shall be prior to the effective date of the suspension. At the  
5587 request of such person and upon a showing of good cause, the  
5588 commissioner may grant one continuance for a period not to exceed  
5589 thirty days. [The hearing]

5590 (2) A hearing based on a report submitted under subsection (c) of this  
5591 section shall be limited to a determination of the following issues: [(1)]  
5592 (A) Whether the peace officer had probable cause to arrest the person  
5593 for operating the vessel while under the influence of intoxicating liquor  
5594 or drugs, or both, or while such person has an elevated blood alcohol  
5595 content; [(2)] (B) whether such person was placed under arrest; [(3)] (C)  
5596 whether such person [(A)] (i) refused to submit to such test or [analysis]  
5597 nontestimonial portion of a drug influence evaluation, or [(B)] (ii)  
5598 submitted to such test [or analysis] and the results of such test [or  
5599 analysis] indicated that at the time of the alleged offense that such  
5600 person had an elevated blood alcohol content; and [(4)] (D) whether  
5601 such person was operating the vessel.

5602 (3) A hearing based on a report submitted under subsection (d) of this  
5603 section shall be limited to a determination of the following issues: (A)  
5604 Whether the peace officer had probable cause to arrest the person for  
5605 operating a vessel while under the influence of intoxicating liquor or  
5606 drugs, or both, or while such person has an elevated blood alcohol  
5607 content; (B) whether such person was placed under arrest; (C) whether  
5608 there is substantial evidence to conclude that such person was operating  
5609 a vessel under the influence of intoxicating liquor or any drug, or both;  
5610 and (D) whether such person was operating the vessel.

5611       (4) At [the] a hearing held under this subsection, the results of the  
5612 test, [or analysis] if administered, shall be sufficient to indicate the ratio  
5613 of alcohol in the blood of such person at the time of operation, except  
5614 that if the results of an additional test, administered pursuant to section  
5615 15-140r, as amended by this act, indicate that the ratio of alcohol in the  
5616 blood of such person is eight-hundredths of one per cent or less of  
5617 alcohol, by weight, and is higher than the results of the first test,  
5618 evidence shall be presented that demonstrates that the test results and  
5619 analysis thereof accurately indicate the blood alcohol content at the time  
5620 of operation. The fees of any witness summoned to appear at [the] a  
5621 hearing under this subsection shall be the same as provided in section  
5622 52-260.

5623       (5) In a hearing based on a report submitted under subsection (d) of  
5624 this section, evidence of operation under the influence of intoxicating  
5625 liquor or any drug, or both shall be admissible. Such evidence may  
5626 include, but need not be limited to, (A) the peace officer's observations  
5627 of intoxication, as documented in a report submitted to the  
5628 commissioner under subsection (d) of this section; (B) the results of any  
5629 chemical test administered under this section or a toxicology report  
5630 certified by the Division of Scientific Services within the Department of  
5631 Emergency Services and Public Protection; (C) hospital or medical  
5632 records obtained in accordance with subsection (j) of this section or by  
5633 the consent of the operator; or (D) reports of drug recognition experts.

5634       (h) If, after [such] a hearing under subdivision (2) of subsection (g) of  
5635 this section, the commissioner finds in the negative on any one of [said]  
5636 the issues specified in [the negative] subparagraph (A), (B), (C) or (D) of  
5637 said subdivision, the commissioner shall stay the safe boating certificate,  
5638 right to operate a vessel that requires a safe boating certificate for  
5639 operation or certificate of personal watercraft operation suspension. If,  
5640 after a hearing under subdivision (3) of subsection (g) of this section, the  
5641 commissioner finds in the negative on any one of the issues specified in  
5642 subparagraph (A), (B), (C) or (D) of said subdivision, the commissioner  
5643 shall stay the safe boating certificate, right to operate a vessel that

5644 requires a safe boating certificate for operation or certificate of personal  
5645 watercraft operation suspension. If, after such hearing under  
5646 subdivision (2) or (3) of subsection (g) of this section, the commissioner  
5647 does not find on any one of said issues in the negative or if such person  
5648 fails to appear at such hearing, the commissioner shall affirm the  
5649 suspension contained in the suspension notice for the appropriate  
5650 period specified in subsection (i) of this section. The commissioner shall  
5651 render a decision at the conclusion of such hearing or send a notice of  
5652 the decision by certified mail to such person not later than thirty-five  
5653 days from the date of notice of such person's arrest by the peace officer  
5654 or, if a continuance is granted, not later than sixty-five days from the  
5655 date such person received notice of such person's arrest by the peace  
5656 officer. The notice of such decision sent by certified mail to the address  
5657 of such person as shown by the records of the commissioner shall be  
5658 sufficient notice to such person that such person's safe boating  
5659 certificate, right to operate a vessel that requires a safe boating certificate  
5660 for operation or certificate of personal watercraft operation is suspended  
5661 or the suspension is stayed. Unless a continuance of the hearing is  
5662 granted pursuant to subsection (g) of this section, if the commissioner  
5663 fails to render a decision within thirty-five days from the date that such  
5664 person received notice of such person's arrest by the peace officer, the  
5665 commissioner shall not suspend such person's safe boating certificate,  
5666 right to operate a vessel that requires a safe boating certificate for  
5667 operation or certificate of personal watercraft operation.

5668 (i) The commissioner shall suspend the operator's safe boating  
5669 certificate, right to operate a vessel that requires a safe boating certificate  
5670 for operation or certificate of personal watercraft operation of a person  
5671 who does not contact the department to schedule a hearing under  
5672 subsection (e) of this section, who fails to appear at such hearing, or  
5673 against whom, after a hearing, the commissioner holds pursuant to  
5674 subsection (g) of this section. Such suspension shall be as of the effective  
5675 date contained in the suspension notice or the date the commissioner  
5676 renders a decision, whichever is later, for a period of: (1) (A) Except as  
5677 provided in subparagraph (B) of this subdivision, ninety days if such

5678 person submitted to a test [or analysis] and the results of such test [or  
5679 analysis] indicated that at the time of the alleged offense that such  
5680 person had an elevated blood alcohol content, or such person was found  
5681 to have been operating a vessel under the influence of intoxicating  
5682 liquor or any drug, or both, based on a report filed pursuant to  
5683 subsection (d) of this section, or (B) one hundred twenty days if such  
5684 person submitted to a test [or analysis] and the results of such test [or  
5685 analysis] indicated that the ratio of alcohol in the blood of such person  
5686 was sixteen-hundredths of one per cent or more of alcohol, by weight,  
5687 or (C) six months if such person refused to submit to such test; [or  
5688 analysis;] (2) if such person has previously had such person's safe  
5689 boating certificate, right to operate a vessel that requires a safe boating  
5690 certificate for operation or certificate of personal watercraft operation  
5691 suspended under this section, (A) except as provided in subparagraph  
5692 (B) of this subdivision, nine months if such person submitted to a test  
5693 [or analysis] and the results of such test [or analysis] indicated that at  
5694 the time of the alleged offense that such person had an elevated blood  
5695 alcohol content, or such person was found to have been operating a  
5696 vessel under the influence of intoxicating liquor or any drug, or both,  
5697 based on a report filed pursuant to subsection (d) of this section, (B) ten  
5698 months if such person submitted to a test [or analysis] and the results of  
5699 such test [or analysis] indicated that the ratio of alcohol in the blood of  
5700 such person was sixteen-hundredths of one per cent or more of alcohol,  
5701 by weight, and (C) one year if such person refused to submit to such  
5702 test; [or analysis;] and (3) if such person has two or more times  
5703 previously had such person's safe boating certificate, right to operate a  
5704 vessel that requires a safe boating certificate for operation or certificate  
5705 of personal watercraft operation suspended under this section, (A)  
5706 except as provided in subparagraph (B) of this subdivision, two years if  
5707 such person submitted to a test [or analysis] and the results of such test  
5708 [or analysis] indicated that at the time of the alleged offense that such  
5709 person had an elevated blood alcohol content, or such person was found  
5710 to have been operating a vessel under the influence of intoxicating  
5711 liquor or any drug, or both, based on a report filed pursuant to  
5712 subsection (d) of this section, (B) two and one-half years if such person

5713 submitted to a test [or analysis] and the results of such test [or analysis]  
5714 indicated that the ratio of alcohol in the blood of such person was  
5715 sixteen-hundredths of one per cent or more of alcohol, by weight, and  
5716 (C) three years if such person refused to submit to such test. [or  
5717 analysis.]

5718 (j) Notwithstanding the provisions of subsections (b) to (i), inclusive,  
5719 of this section, any peace officer who obtains the results of a chemical  
5720 analysis of a blood sample taken from an operator of a vessel involved  
5721 in an accident who suffered or allegedly suffered physical injury in such  
5722 accident shall notify the commissioner and submit to the commissioner  
5723 a written report if such results indicate that at the time of the alleged  
5724 offense such person had an elevated blood alcohol content, or any  
5725 quantity of an intoxicating liquor or any drug, or both, in such person's  
5726 blood, and if such person was arrested for a violation of section 15-132a,  
5727 subsection (d) of section 15-133 or section 15-140l or 15-140n in  
5728 connection with such accident. The report shall be made on a form  
5729 approved by the commissioner containing such information as the  
5730 commissioner prescribes and shall be subscribed and sworn under  
5731 penalty of false statement, as provided in section 53a-157b, by the peace  
5732 officer. The commissioner shall, after notice and an opportunity for  
5733 hearing, which shall be conducted in accordance with chapter 54,  
5734 suspend the safe boating certificate, right to operate a vessel that  
5735 requires a safe boating certificate for operation or certificate of personal  
5736 watercraft operation of such person for a period of up to ninety days,  
5737 or, if such person has previously had such person's operating privilege  
5738 suspended under this section, for a period up to one year. Each hearing  
5739 conducted under this section shall be limited to a determination of the  
5740 following issues: (1) Whether the peace officer had probable cause to  
5741 arrest the person for operating a vessel while under the influence of  
5742 intoxicating liquor or drugs, or both, or while such person has an  
5743 elevated blood alcohol content; (2) whether such person was placed  
5744 under arrest; (3) whether such person was operating the vessel; (4)  
5745 whether the results of the analysis of the blood of such person indicate  
5746 that such person had an elevated blood alcohol content, or there is

5747 substantial evidence to conclude that the person was operating a vessel  
5748 under the influence of intoxicating liquor or any drug, or both; and (5)  
5749 whether the blood sample was obtained in accordance with conditions  
5750 for admissibility as set forth in section 15-140s. If, after such hearing, the  
5751 commissioner finds on any issue in the negative, the commissioner shall  
5752 not impose a suspension. The fees of any witness summoned to appear  
5753 at the hearing shall be the same as provided by the general statutes for  
5754 witnesses in criminal cases.

5755 (k) The provisions of this section shall apply with the same effect to  
5756 the refusal by any person to submit to an additional chemical test as  
5757 provided in [subdivision (5)] subparagraph (E) of subdivision (1) of  
5758 subsection (a) of section 15-140r, as amended by this act.

5759 (l) The provisions of this section do not apply to any person whose  
5760 physical condition is such that, according to competent medical advice,  
5761 such test would be inadvisable.

5762 (m) The state shall pay the reasonable charges of any physician who,  
5763 at the request of a [municipal police department] law enforcement unit,  
5764 as defined in section 7-294a, takes a blood sample for purposes of a test  
5765 under the provisions of this section.

5766 (n) For the purposes of this section, "elevated blood alcohol content"  
5767 means: (1) A ratio of alcohol in the blood of such person that is eight-  
5768 hundredths of one per cent or more of alcohol, by weight, or (2) if such  
5769 person is under twenty-one years of age, a ratio of alcohol in the blood  
5770 of such person that is two-hundredths of one per cent or more of alcohol,  
5771 by weight.

5772 (o) The commissioner may adopt regulations, in accordance with  
5773 chapter 54, to implement the provisions of this section.

5774 (p) For purposes of this section and section 15-140r, as amended by  
5775 this act, (1) "drug influence evaluation" means a twelve-part evaluation  
5776 developed by the National Highway Traffic Safety Administration and  
5777 the International Association of Chiefs of Police that is conducted by a



5778 drug recognition expert to determine the level of a person's impairment  
5779 from the use of drugs and the drug category causing such impairment;  
5780 (2) "drug recognition expert" means a person certified by the  
5781 International Association of Chiefs of Police as having met all  
5782 requirements of the International Drug Evaluation and Classification  
5783 Program; and (3) "nontestimonial portion of a drug influence  
5784 evaluation" means a drug influence evaluation conducted by a drug  
5785 recognition expert that does not include a verbal interview with the  
5786 subject.

5787 Sec. 123. Section 15-140r of the general statutes is repealed and the  
5788 following is substituted in lieu thereof (*Effective April 1, 2022*):

5789 (a) Except as provided in section 15-140s or subsection (d) of this  
5790 section, in any criminal prosecution for the violation of section 15-132a,  
5791 subsection (d) of section 15-133, section 15-140l or 15-140n or subsection  
5792 (b) of section 53-206d, evidence respecting the amount of alcohol or drug  
5793 in the defendant's blood or urine at the time of the alleged offense, as  
5794 shown by a chemical [analysis] test of the defendant's breath, blood or  
5795 urine shall be admissible and competent provided: (1) The defendant  
5796 was afforded a reasonable opportunity to telephone an attorney prior to  
5797 the performance of the test and consented to the taking of the test upon  
5798 which such analysis is made; (2) a true copy of the report of the test  
5799 result was mailed to or personally delivered to the defendant within  
5800 twenty-four hours or by the end of the next regular business day, after  
5801 such result was known, whichever is later; (3) the test was performed  
5802 by or at the direction of a certified law enforcement officer according to  
5803 methods and with equipment approved by the Department of  
5804 Emergency Services and Public Protection, and if a blood test was  
5805 performed, it was performed on a blood sample taken by a person  
5806 licensed to practice medicine and surgery in this state, a qualified  
5807 laboratory technician, an emergency medical technician II or a  
5808 registered nurse in accordance with the regulations adopted under  
5809 subsection (b) of this section; (4) the device used for such test was  
5810 checked for accuracy in accordance with the regulations adopted under

subsection (b) of this section; (5) an additional chemical test of the same type was performed at least ten minutes after the initial test was performed or, if requested by the peace officer for reasonable cause, an additional chemical test of a different type was performed, including a test to detect the presence of a drug or drugs other than or in addition to alcohol, except that the results of the initial test shall not be inadmissible under this subsection if reasonable efforts were made to have such additional test performed in accordance with the conditions set forth in this subsection and (A) such additional test was not performed or was not performed within a reasonable time, or (B) the results of such additional test are not admissible for failure to meet a condition set forth in this subsection; and (6) evidence is presented that the test was commenced within two hours of operation of the vessel or expert testimony establishes the reliability of a test commenced beyond two hours of operation of the vessel. In any prosecution under this section, it shall be a rebuttable presumption that the results of such chemical analysis establish the ratio of alcohol in the blood of the defendant at the time of the alleged offense, except that if the results of the additional test indicate that the ratio of alcohol in the blood of such defendant is ten-hundredths of one per cent or less of alcohol, by weight, and is higher than the results of the first test, evidence shall be presented that demonstrates that the test results and the analysis thereof accurately indicate the blood alcohol content at the time of the alleged offense.

(b) The Commissioner of Emergency Services and Public Protection shall ascertain the reliability of each method and type of device offered for chemical testing and analysis of blood, of breath and of urine and certify those methods and types which the Commissioner of Emergency Services and Public Protection finds suitable for use in testing and analysis of blood, breath and urine, respectively, in this state. The Commissioner of Emergency Services and Public Protection, after consultation with the Commissioner of Public Health, shall adopt regulations, in accordance with chapter 54, governing the conduct of chemical tests, the operation and use of chemical test devices and the

5845 training and certification of operators of such devices and the drawing  
5846 or obtaining of blood, breath or urine samples as the Commissioner of  
5847 Emergency Services and Public Protection finds necessary to protect the  
5848 health and safety of persons who submit to chemical tests and to insure  
5849 reasonable accuracy in testing results. Such regulations shall not require  
5850 recertification of a peace officer solely because such officer terminates  
5851 such officer's employment with the law enforcement agency for which  
5852 certification was originally issued and commences employment with  
5853 another such agency.

5854 (c) If a person is charged with a violation of section 15-132a,  
5855 subsection (d) of section 15-133 or section 15-140/ or 15-140n, the charge  
5856 may not be reduced, nolle or dismissed unless the prosecuting  
5857 authority states in open court such prosecutor's reasons for the  
5858 reduction, nolle or dismissal.

5859 (d) (1) In any criminal prosecution for a violation of section 15-132a,  
5860 subsection (d) of section 15-133 or section 15-140/ or 15-140n, evidence  
5861 that the defendant refused to submit to a blood, breath or urine test or  
5862 the nontestimonial portion of a drug influence evaluation requested in  
5863 accordance with section 15-140q, as amended by this act, shall be  
5864 admissible provided the requirements of subsection (a) of said section  
5865 have been satisfied. If a case involving a violation of section 15-132a,  
5866 subsection (d) of section 15-133 or section 15-140/ or 15-140n is tried to a  
5867 jury, the court shall instruct the jury as to any inference that may or may  
5868 not be drawn from the defendant's refusal to submit to a blood, breath  
5869 or urine test or evaluation.

5870 (2) In any prosecution for a violation of subsection (a) of this section,  
5871 a drug recognition expert may, at the discretion of the court, testify as  
5872 to his or her opinion or otherwise as to the significance of any symptoms  
5873 of impairment or intoxication for which evidence has been admitted or  
5874 on the condition that such evidence be introduced.

5875 (3) In any prosecution for a violation of subsection (a) of this section  
5876 in which it is alleged that the defendant's operation of a vessel was

5877 impaired, in whole or in part, by consumption of cannabis, cannabis  
5878 products or THC, as those terms are defined in section 1 of this act, the  
5879 court may take judicial notice that the ingestion of THC (A) can impair  
5880 a person's ability to operate a vessel; (B) can impair a person's motor  
5881 function, reaction time, tracking ability, cognitive attention, decision-  
5882 making, judgment, perception, peripheral vision, impulse control and  
5883 memory; and (C) does not enhance a person's ability to safely operate a  
5884 vessel.

5885       Sec. 124. (*Effective July 1, 2021*) Not later than January 1, 2022, the  
5886 Commissioner of Transportation, in consultation with the  
5887 Commissioner of Motor Vehicles and a task force established within the  
5888 Executive Branch known as the Statewide Impaired Driving Task Force,  
5889 shall make recommendations to the Governor and, in accordance with  
5890 the provisions of section 11-4a of the general statutes, the joint standing  
5891 committees of the General Assembly having cognizance of matters  
5892 relating to the judiciary and transportation regarding (1) the  
5893 enhancement of data collection regarding impaired driving, including,  
5894 but not limited to, the possibility of reorganizing the state's impaired  
5895 driving statutes into separate offenses for operation under the influence  
5896 of alcohol, operation under the influence of any drug and operation  
5897 under the influence of both alcohol and any drug, (2) the  
5898 implementation of an electronic warrant pilot program in impaired  
5899 driving investigations, and (3) the merits and feasibility of a pilot  
5900 program for oral fluid testing in impaired driving investigations.

5901       Sec. 125. (NEW) (*Effective July 1, 2021*) (a) As used in this section and  
5902 sections 126 and 127 of this act:

5903       (1) "Cannabis" has the same meaning as provided in section 1 of this  
5904 act;

5905       (2) "Cannabis flower" has the same meaning as provided in section 1  
5906 of this act;

5907       (3) "Cannabis product" has the same meaning as provided in section

5908 1 of this act;

5909 (4) "Cannabis retailer" means "retailer", as defined in section 1 of this  
5910 act;

5911 (5) "Cannabis trim" has the same meaning as provided in section 1 of  
5912 this act;

5913 (6) "Consumer" has the same meaning as provided in section 1 of this  
5914 act;

5915 (7) "Cultivator" has the same meaning as provided in section 1 of this  
5916 act;

5917 (8) "Delivery service" has the same meaning as provided in section 1  
5918 of this act;

5919 (9) "Dispensary facility" has the same meaning as provided in section  
5920 1 of this act;

5921 (10) "Disproportionately affected community" has the same meaning  
5922 as provided in section 1 of this act;

5923 (11) "Food and beverage manufacturer" has the same meaning as  
5924 provided in section 1 of this act;

5925 (12) "Hybrid retailer" has the same meaning as provided in section 1  
5926 of this act;

5927 (13) "Micro-cultivator" has the same meaning as provided in section  
5928 1 of this act;

5929 (14) "Municipality" has the same meaning as provided in section 1 of  
5930 this act;

5931 (15) "Palliative use" has the same meaning as provided in section 21a-  
5932 408 of the general statutes, as amended by this act;

5933 (16) "Producer" has the same meaning as provided in section 1 of this

5934 act;

5935 (17) "Product manufacturer" has the same meaning as provided in  
5936 section 1 of this act;

5937 (18) "Product packager" has the same meaning as provided in section  
5938 1 of this act; and

5939 (19) "Wet cannabis" means the whole plant of the genus cannabis,  
5940 including abnormal and immature plants, that has been harvested and  
5941 weighed within two hours of harvesting and has not undergone any  
5942 processing such as drying, curing, trimming or increasing the ambient  
5943 temperature in the room in which such plant is held.

5944 (b) Beginning on the first day of the month in which a cultivator,  
5945 micro-cultivator, food and beverage manufacturer, product  
5946 manufacturer, product packager or delivery service may legally operate  
5947 within the state or a cannabis retailer, hybrid retailer or producer may  
5948 legally sell cannabis other than cannabis for palliative use, there is  
5949 imposed a tax on the first sale or first use in the state by a producer,  
5950 cultivator or micro-cultivator of cannabis flowers, cannabis trim or wet  
5951 cannabis, at the rate of (1) one dollar and twenty-five cents per dry-  
5952 weight gram of cannabis flowers, (2) fifty cents per dry-weight gram of  
5953 cannabis trim, and (3) twenty-eight cents per gram of wet cannabis.

5954 (c) On or before the last day of each month in which a cultivator or  
5955 micro-cultivator may legally operate within the state or a producer may  
5956 legally sell cannabis other than cannabis for palliative use, each such  
5957 cultivator, micro-cultivator and producer shall file with the  
5958 Commissioner of Revenue Services a return for the calendar month  
5959 immediately preceding. Such return shall be in such form and contain  
5960 such information as the commissioner prescribes, and shall be  
5961 accompanied by a payment of the amount of the tax shown to be due  
5962 thereon.

5963 (d) If any cultivator, micro-cultivator or producer fails to pay the  
5964 amount of tax reported due on its return within the time specified under

5965 this section, there shall be imposed a penalty equal to twenty-five per  
5966 cent of such amount due and unpaid, or two hundred fifty dollars,  
5967 whichever is greater. Such amount shall bear interest at the rate of one  
5968 per cent per month or fraction thereof, from the due date of such tax  
5969 until the date of payment. Subject to the provisions of section 12-3a of  
5970 the general statutes, the commissioner may waive all or part of the  
5971 penalties provided under this section when it is proven to the  
5972 commissioner's satisfaction that the failure to pay any tax was due to  
5973 reasonable cause and was not intentional or due to neglect.

5974 (e) Each person, other than a cultivator, micro-cultivator or producer,  
5975 who is required, on behalf of such cultivator, micro-cultivator or  
5976 producer, to collect, truthfully account for and pay over a tax imposed  
5977 on such cultivator, micro-cultivator or producer under this section and  
5978 who wilfully fails to collect, truthfully account for and pay over such tax  
5979 or who wilfully attempts in any manner to evade or defeat the tax or the  
5980 payment thereof, shall, in addition to other penalties provided by law,  
5981 be liable for a penalty equal to the total amount of the tax evaded, or not  
5982 collected, or not accounted for and paid over, including any penalty or  
5983 interest attributable to such wilful failure to collect or truthfully account  
5984 for and pay over such tax or such wilful attempt to evade or defeat such  
5985 tax, provided such penalty shall only be imposed against such person in  
5986 the event that such tax, penalty or interest cannot otherwise be collected  
5987 from such cultivator, micro-cultivator or producer. The amount of such  
5988 penalty with respect to which a person may be personally liable under  
5989 this section shall be collected in accordance with the provisions of  
5990 section 12-555a of the general statutes and any amount so collected shall  
5991 be allowed as a credit against the amount of such tax, penalty or interest  
5992 due and owing from the cultivator, micro-cultivator or producer. The  
5993 dissolution of the cultivator, micro-cultivator or producer shall not  
5994 discharge any person in relation to any personal liability under this  
5995 section for wilful failure to collect or truthfully account for and pay over  
5996 such tax or for a wilful attempt to evade or defeat such tax prior to  
5997 dissolution, except as otherwise provided in this section. For purposes  
5998 of this section, "person" includes any individual, corporation, limited

5999 liability company or partnership and any officer or employee of any  
6000 corporation, including a dissolved corporation, and a member of or  
6001 employee of any partnership or limited liability company who, as such  
6002 officer, employee or member, is under a duty to file a tax return under  
6003 this section on behalf of a cultivator, micro-cultivator or producer or to  
6004 collect or truthfully account for and pay over a tax imposed under this  
6005 section on behalf of such cultivator, micro-cultivator or producer.

6006 (f) The provisions of sections 12-548, 12-551 to 12-554, inclusive, and  
6007 12-555a of the general statutes shall apply to the provisions of this  
6008 section in the same manner and with the same force and effect as if the  
6009 language of said sections had been incorporated in full into this section  
6010 and had expressly referred to the tax under this section, except to the  
6011 extent that any provision is inconsistent with a provision in this section.

6012 (g) The commissioner shall not issue a refund of any tax paid by a  
6013 cultivator, micro-cultivator or producer under this section.

6014 (h) The commissioner may adopt regulations, in accordance with the  
6015 provisions of chapter 54 of the general statutes, to implement the  
6016 provisions of this section.

6017 (i) (1) The tax received by the state under this section shall be  
6018 deposited as follows: (A) For the fiscal years ending June 30, 2022, and  
6019 June 30, 2023, in the General Fund; and (B) for the fiscal year ending  
6020 June 30, 2024, and each fiscal year thereafter, fifty-five per cent of such  
6021 tax received in the cannabis equity and innovation account established  
6022 under subdivision (2) of this subsection, fifteen per cent of such tax  
6023 received in the prevention and recovery services account established  
6024 under subdivision (3) of this subsection and thirty per cent in the  
6025 General Fund.

6026 (2) There is established an account to be known as the "cannabis  
6027 equity and innovation account" which shall be a separate, nonlapsing  
6028 account within the General Fund. The account shall contain any moneys  
6029 required by law to be deposited in the account. Moneys in the account



6030 shall be appropriated for the purposes of: (A) Investing in programs that  
6031 are located in or primarily serve residents of disproportionately affected  
6032 communities. Such programs include, but are not limited to, (i) adult  
6033 education programs including, but not limited to, such programs  
6034 offered by Unified School District #1, and (ii) programs to assist  
6035 individuals released from the custody of the Commissioner of  
6036 Correction, probation or parole; (B) providing grants to youth service  
6037 bureaus established pursuant to section 10-19m of the general statutes  
6038 and to municipal juvenile review boards; (C) funding workforce  
6039 development and business incubator and accelerator programs that  
6040 support social equity applicants and prospective social equity  
6041 applicants; and (D) funding programs and services that promote and  
6042 encourage economic opportunity and advancement of individuals from  
6043 disproportionately affected communities.

6044 (3) There is established an account to be known as the "prevention  
6045 and recovery services account" which shall be a separate, nonlapsing  
6046 account within the General Fund. The account shall contain any moneys  
6047 required by law to be deposited in the account. Moneys in the account  
6048 shall be expended by the Commissioner of Mental Health and Addiction  
6049 Services to provide community-based grants for substance abuse  
6050 prevention, treatment and recovery services.

6051 (j) At the close of each fiscal year in which the tax imposed under the  
6052 provisions of this section are received by the commissioner, the  
6053 Comptroller is authorized to record as revenue for such fiscal year that  
6054 amounts of such tax that are received by the commissioner not later than  
6055 five business days from the July thirty-first immediately following the  
6056 end of such fiscal year.

6057 Sec. 126. (NEW) (*Effective July 1, 2021*) (a) (1) There is imposed a tax  
6058 at the rate of three per cent on the gross receipts from the sale of cannabis  
6059 and cannabis products by a cannabis retailer, hybrid retailer or micro-  
6060 cultivator. For the purposes of this section, "gross receipts" means the  
6061 total amount of the sales price from sales of cannabis and cannabis  
6062 products by a cannabis retailer, hybrid retailer or micro-cultivator.

6063       (2) The tax under this section:

6064       (A) Shall not apply to the sale of cannabis for palliative use;

6065       (B) Shall not apply to the transfer of cannabis or cannabis products to  
6066 a delivery service for transport to any other cultivator, micro-cultivator,  
6067 food and beverage manufacturer, product manufacturer, product  
6068 packager, dispensary facility, cannabis retailer, hybrid retailer or  
6069 producer;

6070       (C) Shall not apply to the sale of cannabis or cannabis products by a  
6071 delivery service to a consumer;

6072       (D) Shall be collected from the purchaser at the time of sale and shall  
6073 be in addition to the tax imposed under chapter 219 of the general  
6074 statutes; and

6075       (E) Shall be held in trust until remitted to the municipality.

6076       (b) (1) On or before the last day of each month in which a cannabis  
6077 retailer, hybrid retailer or micro-cultivator may legally sell cannabis  
6078 other than cannabis sold for palliative use, each such cannabis retailer,  
6079 hybrid retailer and micro-cultivator shall file a return with the tax  
6080 collector of the municipality, or the individual designated by the  
6081 municipality to receive such returns, in which such cannabis retailer,  
6082 hybrid retailer or micro-cultivator is located. Such return shall report  
6083 such cannabis retailer's, hybrid retailer's or micro-cultivator's gross  
6084 receipts from the sale of cannabis and cannabis products other than  
6085 cannabis sold for palliative use, for the calendar month immediately  
6086 preceding and the amount of tax imposed under this section shown to  
6087 be due thereon. Such return shall be in such form and contain such  
6088 information as the tax collector of the municipality or the individual  
6089 designated by the municipality to collect the tax imposed under this  
6090 section, in consultation with the Department of Revenue Services and  
6091 the Office of Policy and Management, prescribes, and shall be  
6092 accompanied by a payment of the amount of the tax shown to be due  
6093 thereon. Such amount shall become part of the general revenue of such

6094 municipality and used for any of the purposes set forth in subdivision  
6095 (2) of this subsection.

6096       (2) The tax collected pursuant to this section shall be used by such  
6097 municipality to (A) make improvements to the streetscapes and other  
6098 neighborhood developments in and around each community in which  
6099 a cannabis retailer, hybrid retailer or micro-cultivator is located, (B) fund  
6100 youth employment and training programs in such municipality, (C)  
6101 fund services for individuals released from the custody of the  
6102 Commissioner of Correction, probation or parole and residing in such  
6103 municipality, (D) fund mental health or addiction services, or (E) fund  
6104 efforts to promote civic engagement in communities in such  
6105 municipality.

6106       (c) If any cannabis retailer, hybrid retailer or micro-cultivator fails to  
6107 pay the amount of tax reported due on its return within the time period  
6108 set forth under this section, there shall be imposed a penalty equal to  
6109 twenty-five per cent of such amount due and unpaid, or two hundred  
6110 fifty dollars, whichever is greater. Such amount shall bear interest at the  
6111 rate of one per cent per month or fraction thereof, from the due date of  
6112 such tax until the date of payment. A municipality may waive, by vote  
6113 of its legislative body, all or part of the penalties provided under this  
6114 subsection upon a finding by such body that the failure to pay any tax  
6115 was due to reasonable cause and was not intentional or due to neglect.

6116       (d) A municipality may impose a lien on the real property of a  
6117 cannabis retailer, hybrid retailer or micro-cultivator for nonpayment of  
6118 tax due under this section. The amount of such lien shall not exceed the  
6119 amount of tax due under this section plus penalties and interest. Such  
6120 lien shall have the same priority as a municipal lien for real property  
6121 taxes.

6122       (e) (1) If the tax collector, or the individual designated by the  
6123 municipality to collect the tax imposed under this section, of a  
6124 municipality in which a cannabis retailer, hybrid retailer or micro-  
6125 cultivator is located has good cause to believe a cannabis retailer, hybrid

6126 retailer or micro-cultivator has underpaid the tax under this section or  
6127 otherwise has made a material misrepresentation in a return filed  
6128 pursuant to subsection (b) of this section, the tax collector or such  
6129 individual may require such cannabis retailer, hybrid retailer or micro-  
6130 cultivator to have an audit. Such audit shall be performed in the same  
6131 manner and with the same time periods for completion and extension  
6132 as for a nonstate entity under the provisions of section 4-232 of the  
6133 general statutes. An audit shall not be ordered more than once per fiscal  
6134 year.

6135       (2) The cannabis retailer, hybrid retailer or micro-cultivator shall file  
6136 a copy of the audit report with the tax collector of the municipality or  
6137 the individual designated by the municipality to collect the tax imposed  
6138 under this section. Any cannabis retailer, hybrid retailer or micro-  
6139 cultivator, or auditor for such cannabis retailer, hybrid retailer or micro-  
6140 cultivator, that fails to have the audit report filed within the time period  
6141 set forth in subdivision (2) of subsection (b) of section 4-232 of the  
6142 general statutes may be assessed a penalty by the tax collector or such  
6143 individual, in an amount as provided under subdivision (2) of  
6144 subsection (b) of section 4-232 of the general statutes.

6145       (3) If an audit report shows that the tax under this section was  
6146 underpaid by a cannabis retailer, hybrid retailer or micro-cultivator,  
6147 there shall be imposed a penalty equal to twenty-five per cent of the  
6148 amount due and unpaid, or two hundred fifty dollars, whichever is  
6149 greater. Such amount shall bear interest at the rate of one per cent per  
6150 month or fraction thereof, from the due date of such tax until the date of  
6151 payment. A municipality may waive, by vote of its legislative body, all  
6152 or part of the penalties provided under this subsection upon a finding  
6153 by such body that the failure to pay any tax was due to reasonable cause  
6154 and was not intentional or due to neglect.

6155       (f) (1) No cannabis retailer, hybrid retailer, micro-cultivator or  
6156 municipality shall issue a refund to a purchaser for any tax paid under  
6157 this section by such purchaser.

6158 (2) No municipality shall issue a refund to a cannabis retailer, hybrid  
6159 retailer or micro-cultivator for any tax paid under this section by such  
6160 cannabis retailer, hybrid retailer or micro-cultivator.

6161 (3) No overpayment of the tax under this section by a purchaser,  
6162 cannabis retailer, hybrid retailer or micro-cultivator shall be applied to  
6163 any other liability due to such municipality from such purchaser,  
6164 cannabis retailer, hybrid retailer or micro-cultivator.

6165 Sec. 127. (NEW) (*Effective July 1, 2021*) (a) The tax under chapter 219  
6166 of the general statutes shall not be imposed on the transfer of cannabis  
6167 or cannabis products to a delivery service by a cultivator, micro-  
6168 cultivator, food and beverage manufacturer, product manufacturer,  
6169 product packager, dispensary facility, cannabis retailer, hybrid retailer  
6170 or producer, for transport to any other cultivator, micro-cultivator, food  
6171 and beverage manufacturer, product manufacturer, product packager,  
6172 dispensary facility, cannabis retailer, hybrid retailer or producer.

6173 (b) No person may purchase cannabis or cannabis products on a  
6174 resale basis and no exemption under chapter 219 of the general statutes  
6175 shall apply to the sale of cannabis or cannabis products, except as  
6176 provided under section 12-412 of the general statutes, as amended by  
6177 this act, for the sale of cannabis for palliative use.

6178 (c) (1) No cannabis retailer, hybrid retailer, micro-cultivator or  
6179 delivery service, nor the Department of Revenue Services, shall issue a  
6180 refund to a purchaser for any tax paid under chapter 219 of the general  
6181 statutes for the sale of cannabis or cannabis products.

6182 (2) The Commissioner of Revenue Services shall not issue a refund to  
6183 a cannabis retailer, hybrid retailer or micro-cultivator of any tax paid  
6184 under chapter 219 of the general statutes by such cannabis retailer,  
6185 hybrid retailer or micro-cultivator.

6186 (d) The provisions of subsection (g) of section 125 of this act,  
6187 subsection (f) of section 126 of this act and subsection (c) of this section  
6188 shall not be construed as authorizing suit against the state or any

6189 political subdivision thereof by a person against whom any tax, penalty  
6190 or interest has been erroneously or illegally assessed or from whom any  
6191 tax, penalty or interest has been erroneously or illegally collected and  
6192 shall not be construed as a waiver of sovereign immunity.

6193 Sec. 128. Subdivision (120) of section 12-412 of the general statutes is  
6194 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
6195 *2021*):

6196 (120) [On and after April 1, 2015, sales] (A) Sales of the following  
6197 nonprescription drugs or medicines available for purchase for use in or  
6198 on the body: Vitamin or mineral concentrates; dietary supplements;  
6199 natural or herbal drugs or medicines; products intended to be taken for  
6200 coughs, cold, asthma or allergies, or antihistamines; laxatives;  
6201 antidiarrheal medicines; analgesics; antibiotic, antibacterial, antiviral  
6202 and antifungal medicines; antiseptics; astringents; anesthetics; steroidal  
6203 medicines; anthelmintics; emetics and antiemetics; antacids; [and] any  
6204 medication prepared to be used in the eyes, ears or nose; and marijuana  
6205 sold for palliative use under the provisions of chapter 420f.

6206 (B) Nonprescription drugs or medicines [shall] do not include  
6207 cosmetics, [dentrifrices] dentifrices, mouthwash, shaving and hair care  
6208 products, soaps, [or] deodorants or products containing cannabis, as  
6209 defined in section 1 of this act, or cannabinoids.

6210 Sec. 129. Subparagraph (U) of subdivision (37) of subsection (a) of  
6211 section 12-407 of the general statutes is repealed and the following is  
6212 substituted in lieu thereof (*Effective July 1, 2021*):

6213 (U) (i) [Advertising] Except as provided in clause (ii) of this  
6214 subparagraph, advertising or public relations services, including layout,  
6215 art direction, graphic design, mechanical preparation or production  
6216 supervision, not related to the development of media advertising or  
6217 cooperative direct mail advertising;

6218 (ii) Advertising or public relations services, including layout, art  
6219 direction, graphic design, mechanical preparation or production

6220 supervision, related to cannabis, as defined in section 1 of this act, or  
6221 cannabis products;

6222 Sec. 130. Section 12-650 of the general statutes is repealed and the  
6223 following is substituted in lieu thereof (*Effective July 1, 2021*):

6224 [As used in this chapter:

6225 (1) "Marijuana" means any marijuana, whether real or counterfeit, as  
6226 defined in subdivision (29) of section 21a-240, that is held, possessed,  
6227 transported, sold or offered to be sold in violation of any provision of  
6228 the general statutes;

6229 (2) "Controlled substance" means any controlled substance as defined  
6230 in subdivision (9) of section 21a-240, that is held, possessed, transported,  
6231 sold or offered to be sold in violation of any provision of the general  
6232 statutes;

6233 (3) "Dealer" means any person who, in violation of any provision of  
6234 the general statutes, manufactures, produces, ships, transports, or  
6235 imports into the state or in any manner acquires or possesses more than  
6236 forty-two and one-half grams of marijuana or seven or more grams of  
6237 any controlled substance or ten or more dosage units of any controlled  
6238 substance which is not sold by weight; and

6239 (4) "Commissioner" means the Commissioner of Revenue Services.]

6240 Notwithstanding the provisions of this chapter, revision of 1958,  
6241 revised to January 1, 2021, any outstanding liabilities or assessments, or  
6242 any portion thereof, made under said chapter related to the sale,  
6243 purchase, acquisition or possession within the state or the transport or  
6244 importation into the state, of marijuana, as defined in section 21a-240,  
6245 shall be cancelled. The Commissioner of Revenue Services may take any  
6246 action necessary to effectuate the cancellation of such liabilities and  
6247 assessments. No cancellation of a liability or an assessment pursuant to  
6248 this section shall entitle any person affected by such cancellation to a  
6249 refund or credit of any amount previously paid or collected in

6250 connection with such liability or assessment.

6251 Sec. 131. Subdivision (1) of subsection (a) of section 12-30a of the  
6252 general statutes is repealed and the following is substituted in lieu  
6253 thereof (*Effective July 1, 2021*):

6254 (a) (1) Whenever the provisions of section 12-35, 12-204, 12-205, 12-  
6255 206, 12-225, 12-226, 12-229, 12-235, 12-242d, 12-263c, 12-263d, 12-263m,  
6256 12-268d, 12-268h, 12-293a, 12-309, 12-330d, 12-330i, 12-376, 12-376a, 12-  
6257 376b, 12-392, 12-414, 12-415, 12-416, 12-419, 12-419a, 12-439, 12-440, 12-  
6258 458, 12-458d, 12-486a, 12-488, 12-547, 12-548, 12-590, 12-594, 12-638c, 12-  
6259 638d, 12-646a, 12-647, [12-655,] 12-667, 12-722, 12-723, 12-728, 12-731, 12-  
6260 735, 22a-132, 22a-232, 22a-237c, 38a-277 or 51-81b require interest to be  
6261 paid to the Commissioner of Revenue Services at the rate of one per cent  
6262 per month or fraction thereof or one per cent for each month or fraction  
6263 thereof, the Commissioner of Revenue Services may adopt regulations  
6264 in accordance with the provisions of chapter 54 that require interest to  
6265 be paid to said commissioner at the equivalent daily rate in lieu of such  
6266 monthly rate.

6267 Sec. 132. Subsection (a) of section 12-35b of the general statutes is  
6268 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
6269 *2021*):

6270 (a) For the purposes of sections 12-204, 12-212, 12-235, 12-268h, 12-  
6271 309, 12-330i, 12-366, 12-398, 12-420, 12-441, 12-475, 12-488, 12-555a, 12-  
6272 594, 12-638j [, 12-655] and 12-734:

6273 (1) "Bona fide purchaser" means a person who takes a conveyance of  
6274 real estate in good faith from the holder of legal title, and pays valuable  
6275 consideration, without actual, implied, or constructive notice of any tax  
6276 delinquency.

6277 (2) "Qualified encumbrancer" means a person who places a burden,  
6278 charge or lien on real estate, in good faith, without actual, implied, or  
6279 constructive notice of any tax delinquency.



6280 (3) "Commissioner" means the Commissioner of Revenue Services or  
6281 his or her authorized agent.

6282 Sec. 133. Section 12-704d of the general statutes is repealed and the  
6283 following is substituted in lieu thereof (*Effective July 1, 2021*):

6284 (a) As used in this section:

6285 (1) "Angel investor" means an accredited investor, as defined by the  
6286 Securities and Exchange Commission, or network of accredited  
6287 investors who review new or proposed businesses for potential  
6288 investment and who may seek active involvement, such as consulting  
6289 and mentoring, in a qualified Connecticut business or a qualified  
6290 cannabis business, but "angel investor" does not include (A) a person  
6291 controlling fifty per cent or more of the Connecticut business or cannabis  
6292 business invested in by the angel investor, (B) a venture capital  
6293 company, or (C) any bank, bank and trust company, insurance  
6294 company, trust company, national bank, savings association or building  
6295 and loan association for activities that are a part of its normal course of  
6296 business;

6297 (2) "Cash investment" means the contribution of cash, at a risk of loss,  
6298 to a qualified Connecticut business or a qualified cannabis business in  
6299 exchange for qualified securities;

6300 (3) "Connecticut business" means any business with its principal  
6301 place of business in Connecticut, excluding a cannabis business;

6302 (4) "Bioscience" means manufacturing pharmaceuticals, medicines,  
6303 medical equipment or medical devices and analytical laboratory  
6304 instruments, operating medical or diagnostic testing laboratories, or  
6305 conducting pure research and development in life sciences;

6306 (5) "Advanced materials" means developing, formulating or  
6307 manufacturing advanced alloys, coatings, lubricants, refrigerants,  
6308 surfactants, emulsifiers or substrates;

6309 (6) "Photonics" means generation, emission, transmission,  
6310 modulation, signal processing, switching, amplification, detection and  
6311 sensing of light from ultraviolet to infrared and the manufacture,  
6312 research or development of opto-electronic devices, including, but not  
6313 limited to, lasers, masers, fiber optic devices, quantum devices,  
6314 holographic devices and related technologies;

6315 (7) "Information technology" means software publishing, motion  
6316 picture and video production, teleproduction and postproduction  
6317 services, telecommunications, data processing, hosting and related  
6318 services, custom computer programming services, computer system  
6319 design, computer facilities management services, other computer  
6320 related services and computer training;

6321 (8) "Clean technology" means the production, manufacture, design,  
6322 research or development of clean energy, green buildings, smart grid,  
6323 high-efficiency transportation vehicles and alternative fuels,  
6324 environmental products, environmental remediation and pollution  
6325 prevention;

6326 (9) "Qualified securities" means any form of equity, including a  
6327 general or limited partnership interest, common stock, preferred stock,  
6328 with or without voting rights, without regard to seniority position that  
6329 must be convertible into common stock; [and]

6330 (10) "Emerging technology business" means any business that is  
6331 engaged in bioscience, advanced materials, photonics, information  
6332 technology, clean technology or any other emerging technology as  
6333 determined by the Commissioner of Economic and Community  
6334 Development;

6335 (11) "Cannabis business" means a cannabis establishment for which a  
6336 social equity applicant has been granted a provisional license or a  
6337 license;

6338 (12) "Social equity applicant" has the same meaning as provided in  
6339 section 1 of this act;

6340 (13) "Cannabis" has the same meaning as provided in section 1 of this  
6341 act;

6342 (14) "Cannabis establishment" has the same meaning as provided in  
6343 section 1 of this act; and

6344 (15) "Disproportionately affected community" has the same meaning  
6345 as provided in section 1 of this act.

6346 (b) There shall be allowed a credit against the tax imposed under this  
6347 chapter, other than the liability imposed by section 12-707, for a cash  
6348 investment by an angel investor of not less than twenty-five thousand  
6349 dollars in the qualified securities of a Connecticut business [by an angel  
6350 investor] or a cannabis business. The credit shall be in an amount equal  
6351 to (1) twenty-five per cent of such investor's cash investment in a  
6352 Connecticut business, or (2) forty per cent of such investor's cash  
6353 investment in a cannabis business, provided the total tax credits allowed  
6354 to any angel investor shall not exceed five hundred thousand dollars.  
6355 The credit shall be claimed in the taxable year in which such cash  
6356 investment is made by the angel investor. The credit may be sold,  
6357 assigned or otherwise transferred, in whole or in part.

6358 (c) To qualify for a tax credit pursuant to this section, a cash  
6359 investment shall be in: [a]

6360 (1) A Connecticut business that [(1)] (A) has been approved as a  
6361 qualified Connecticut business pursuant to subsection (d) of this section;  
6362 [(2)] (B) had annual gross revenues of less than one million dollars in the  
6363 most recent income year of such business; [(3)] (C) has fewer than  
6364 twenty-five employees, not less than seventy-five per cent of whom  
6365 reside in this state; [(4)] (D) has been operating in this state for less than  
6366 seven consecutive years; [(5)] (E) is primarily owned by the  
6367 management of the business and their families; and [(6)] (F) received  
6368 less than two million dollars in cash investments eligible for the tax  
6369 credits provided by this section; or

6370 (2) A cannabis business that (A) has been approved as a qualified

6371 cannabis business pursuant to subsection (d) of this section; (B) had  
 6372 annual gross revenues of less than one million dollars in the most recent  
 6373 income year of such business; (C) has fewer than twenty-five employees,  
 6374 not less than seventy-five per cent of whom reside in this state; (D) is  
 6375 primarily owned by the management of the business and their families;  
 6376 and (E) received less than two million dollars in cash investments  
 6377 eligible for the tax credits provided by this section.

6378 (d) (1) A Connecticut business or a cannabis business may apply to  
 6379 Connecticut Innovations, Incorporated, for approval as a Connecticut  
 6380 business or cannabis business, as applicable, qualified to receive cash  
 6381 investments eligible for a tax credit pursuant to this section. The  
 6382 application shall include (A) the name of the business and a copy of the  
 6383 organizational documents of such business, (B) a business plan,  
 6384 including a description of the business and the management, product,  
 6385 market and financial plan of the business, (C) a description of the  
 6386 business's innovative technology, product or service, (D) a statement of  
 6387 the potential economic impact of the business, including the number,  
 6388 location and types of jobs expected to be created, (E) a description of the  
 6389 qualified securities to be issued and the amount of cash investment  
 6390 sought by the [qualified Connecticut] business, (F) a statement of the  
 6391 amount, timing and projected use of the proceeds to be raised from the  
 6392 proposed sale of qualified securities, and (G) such other information as  
 6393 the chief executive officer of Connecticut Innovations, Incorporated,  
 6394 may require.

6395 (2) Said chief executive officer shall, on a monthly basis, compile a list  
 6396 of approved applications, categorized by the cash investments being  
 6397 sought by the qualified Connecticut business or the qualified cannabis  
 6398 business and type of qualified securities offered.

6399 (e) (1) Any angel investor that intends to make a cash investment in  
 6400 a business on such list may apply to Connecticut Innovations,  
 6401 Incorporated, to reserve a tax credit in the amount indicated by such  
 6402 investor. Connecticut Innovations, Incorporated, shall not reserve tax  
 6403 credits under this section for any investment made on or after July 1,

6404 2024.

6405       (2) The aggregate amount of all tax credits under this section that may  
6406 be reserved by Connecticut Innovations, Incorporated, shall not exceed  
6407 (A) for cash investments made in Connecticut businesses, six million  
6408 dollars annually for the fiscal years commencing July 1, 2010, to July 1,  
6409 2012, inclusive, and [shall not exceed] five million dollars [in] for each  
6410 fiscal year thereafter, [. Each fiscal year,] and (B) for cash investments  
6411 made in qualified cannabis businesses, fifteen million dollars annually  
6412 for each fiscal year commencing on or after July 1, 2021.

6413       (3) With respect to the tax credits available under this section for  
6414 investments in Connecticut businesses, Connecticut Innovations,  
6415 Incorporated, shall not reserve more than seventy-five per cent of [the]  
6416 such tax credits [available under this section] each fiscal year for  
6417 investments in emerging technology businesses, except if any such  
6418 credits remain available for reservation after April first in any fiscal  
6419 year, such remaining credits may be reserved for (A) investments in  
6420 such businesses [,] and may be prioritized for veteran-owned, women-  
6421 owned or minority-owned businesses and businesses owned by  
6422 individuals with disabilities, [. Connecticut Innovations, Incorporated,  
6423 shall not reserve tax credits under this section for any investment made  
6424 on or after July 1, 2024] and (B) investments in qualified cannabis  
6425 businesses.

6426       [(2)] (4) The amount of the credit allowed to any investor pursuant to  
6427 this section shall not exceed the amount of tax due from such investor  
6428 under this chapter, other than section 12-707, with respect to such  
6429 taxable year. Any tax credit that is claimed by the angel investor but not  
6430 applied against the tax due under this chapter, other than the liability  
6431 imposed under section 12-707, may be carried forward for the five  
6432 immediately succeeding taxable years until the full credit has been  
6433 applied.

6434       (f) If the angel investor is an S corporation or an entity treated as a  
6435 partnership for federal income tax purposes, the tax credit may be

6436 claimed by the shareholders or partners of the angel investor. If the  
6437 angel investor is a single member limited liability company that is  
6438 disregarded as an entity separate from its owner, the tax credit may be  
6439 claimed by such limited liability company's owner, provided such  
6440 owner is a person subject to the tax imposed under this chapter.

6441 (g) A review of the cumulative effectiveness of the credit under this  
6442 section shall be conducted by Connecticut Innovations, Incorporated, by  
6443 [July 1, 2014, and by] July first annually. [thereafter.] Such review shall  
6444 include, but need not be limited to, the number and type of Connecticut  
6445 businesses and cannabis businesses that received angel investments, the  
6446 number of angel investors and the aggregate amount of cash  
6447 investments, the current status of each Connecticut business and  
6448 cannabis business that received angel investments, the number of  
6449 employees employed in each year following the year in which such  
6450 Connecticut business or cannabis business received the angel  
6451 investment [,] and the economic impact in the state [,] of the Connecticut  
6452 business or cannabis business that received the angel investment. Such  
6453 review shall be submitted to the Office of Policy and Management and  
6454 to the joint standing committee of the General Assembly having  
6455 cognizance of matters relating to commerce, in accordance with the  
6456 provisions of section 11-4a.

6457 Sec. 134. (NEW) (*Effective July 1, 2021*) (a) For the purposes described  
6458 in subsection (b) of this section, the State Bond Commission shall have  
6459 the power from time to time to authorize the issuance of bonds of the  
6460 state in one or more series and in principal amounts not exceeding in  
6461 the aggregate fifty million dollars.

6462 (b) The proceeds of the sale of such bonds, to the extent of the amount  
6463 stated in subsection (a) of this section, shall be used by the Department  
6464 of Economic and Community Development jointly with the Cannabis  
6465 Control Commission for the purposes of providing (1) low-interest  
6466 loans to social equity applicants, municipalities or organizations exempt  
6467 from taxation under Section 501(c)(3) of the Internal Revenue Code of  
6468 1986, or any subsequent corresponding internal revenue code of the

6469 United States, as amended from time to time, to facilitate the  
6470 rehabilitation, renovation or development of unused, underused real  
6471 property to be used as a cannabis establishment or as part of such  
6472 establishment; (2) capital to social equity applicants seeking to start or  
6473 maintain a cannabis establishment; (3) funding to assist in the  
6474 development or ongoing expenses of the cannabis business accelerator  
6475 program established under section 38 of this act; and (4) funding to  
6476 assist in the development or ongoing expenses of workforce training  
6477 programs developed by the Cannabis Control Commission pursuant to  
6478 section 39 of this act. As used in this subsection, "Cannabis Control  
6479 Commission", "cannabis establishment" and "social equity applicant"  
6480 have the same meanings as provided in section 1 of this act.

6481 (c) All provisions of section 3-20 of the general statutes, or the exercise  
6482 of any right or power granted thereby, that are not inconsistent with the  
6483 provisions of this section are hereby adopted and shall apply to all  
6484 bonds authorized by the State Bond Commission pursuant to this  
6485 section. Temporary notes in anticipation of the money to be derived  
6486 from the sale of any such bonds so authorized may be issued in  
6487 accordance with section 3-20 of the general statutes and from time to  
6488 time renewed. Such bonds shall mature at such time or times not  
6489 exceeding twenty years from their respective dates as may be provided  
6490 in or pursuant to the resolution or resolutions of the State Bond  
6491 Commission authorizing such bonds. None of such bonds shall be  
6492 authorized except upon a finding by the State Bond Commission that  
6493 there has been filed with it a request for such authorization that is signed  
6494 by or on behalf of the Secretary of the Office of Policy and Management  
6495 and states such terms and conditions as said commission, in its  
6496 discretion, may require. Such bonds issued pursuant to this section shall  
6497 be general obligations of the state and the full faith and credit of the state  
6498 of Connecticut are pledged for the payment of the principal of and  
6499 interest on such bonds as the same become due, and accordingly and as  
6500 part of the contract of the state with the holders of such bonds,  
6501 appropriation of all amounts necessary for punctual payment of such  
6502 principal and interest is hereby made, and the State Treasurer shall pay

6503 such principal and interest as the same become due.

6504 Sec. 135. (NEW) (*Effective July 1, 2021*) (a) As used in this section,  
6505 "Cannabis Control Commission", "cannabis establishment" and "social  
6506 equity applicant" have the same meanings as provided in section 1 of  
6507 this act.

6508 (b) (1) The Department of Economic and Community Development  
6509 and the Cannabis Control Commission shall jointly develop and  
6510 establish:

6511 (A) A revolving loan program for the purposes of subdivision (1) of  
6512 subsection (b) of section 134 of this act, including (i) requirements for  
6513 loan eligibility under the program, (ii) an application form and the  
6514 information and documentation required to be submitted with such  
6515 application, (iii) the terms of the loans to be offered, including the rates  
6516 of interest to be charged and the length of the loans, (iv) a plan for  
6517 publicizing and marketing the program, and (v) any other requirements  
6518 necessary to implement the program; and

6519 (B) Application forms, applicant requirements and any other  
6520 provisions the department and commission deem necessary for the  
6521 purposes of subdivisions (2) to (4), inclusive, of subsection (b) of section  
6522 134 of this act.

6523 (2) The department and the commission shall post on the Internet  
6524 web sites of the Department of Economic and Community Development  
6525 and the Department of Consumer Protection information concerning  
6526 the loan program and other available funding under this section.

6527 Sec. 136. Section 21a-408e of the general statutes is repealed and the  
6528 following is substituted in lieu thereof (*Effective July 1, 2021*):

6529 No person shall be subject to arrest or prosecution solely for being in  
6530 the presence or vicinity of the palliative use of marijuana as permitted  
6531 under sections 21a-408 to [21a-408n] 21a-408m, inclusive, as amended  
6532 by this act.



6533 Sec. 137. Subsection (b) of section 21a-408i of the general statutes is  
6534 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
6535 *2021*):

6536 (b) The Commissioner of Consumer Protection shall determine the  
6537 number of producers appropriate to meet the needs of qualifying  
6538 patients in this state and shall adopt regulations, in accordance with  
6539 chapter 54, to provide for the licensure, standards and locations for  
6540 producers in this state and specify the maximum number of producers  
6541 that may be licensed in this state at any time. On and after the effective  
6542 date of such regulations, the commissioner may license any person who  
6543 applies for a license in accordance with such regulations, provided (1)  
6544 such person is organized for the purpose of cultivating marijuana for  
6545 palliative use in this state, (2) the commissioner finds that such applicant  
6546 has appropriate expertise in agriculture and that such applicant is  
6547 qualified to cultivate marijuana and sell, deliver, transport or distribute  
6548 marijuana solely within this state pursuant to sections 21a-408 to [21a-  
6549 408n] 21a-408m, inclusive, as amended by this act, and (3) the number  
6550 of producer licenses issued does not exceed the number appropriate to  
6551 meet the needs of qualifying patients in this state, as determined by the  
6552 commissioner pursuant to this subsection. At a minimum, such  
6553 regulations shall:

6554 (A) Indicate the maximum number of producers that may be licensed  
6555 in this state at any time, which number shall not be less than three nor  
6556 more than ten producers;

6557 (B) Provide that no marijuana may be sold, delivered, transported or  
6558 distributed by a producer from or to a location outside of this state;

6559 (C) Establish a nonrefundable application fee of not less than twenty-  
6560 five thousand dollars for each application submitted for a producer  
6561 license;

6562 (D) Establish a license fee and renewal fee for each licensed producer,  
6563 provided the aggregate amount of such license and renewal fees shall

6564 not be less than the amount necessary to cover the direct and indirect  
6565 cost of licensing and regulating producers pursuant to sections 21a-408  
6566 to [21a-408n] 21a-408m, inclusive, as amended by this act;

6567 (E) Provide for renewal of such producer licenses at least every five  
6568 years;

6569 (F) Provide that no producer may cultivate marijuana for palliative  
6570 use outside of this state and designate permissible locations for licensed  
6571 producers in this state;

6572 (G) Establish financial requirements for producers, under which (i)  
6573 each applicant demonstrates the financial capacity to build and operate  
6574 a marijuana production facility, and (ii) each licensed producer may be  
6575 required to maintain an escrow account in a financial institution in this  
6576 state in an amount of two million dollars;

6577 (H) Establish health, safety and security requirements for licensed  
6578 producers, which shall include, but need not be limited to, a  
6579 requirement that the applicant or licensed producer demonstrate: (i) The  
6580 ability to maintain adequate control against the diversion, theft and loss  
6581 of marijuana cultivated by the producer, and (ii) the ability to cultivate  
6582 pharmaceutical grade marijuana for palliative use in a secure indoor  
6583 facility;

6584 (I) Define "pharmaceutical grade marijuana for palliative use" for the  
6585 purposes of this section;

6586 (J) Establish standards and procedures for revocation, suspension,  
6587 summary suspension and nonrenewal of producer licenses, provided  
6588 such standards and procedures are consistent with the provisions of  
6589 subsection (c) of section 4-182; and

6590 (K) Establish other licensing, renewal and operational standards  
6591 deemed necessary by the commissioner.

6592 Sec. 138. Section 21a-408o of the general statutes is repealed and the

6593 following is substituted in lieu thereof (*Effective July 1, 2021*):

6594 Nothing in sections 21a-408 to [21a-408n] 21a-408m, inclusive, as  
 6595 amended by this act, or section 21a-243 shall be construed to require  
 6596 health insurance coverage for the palliative use of marijuana.

6597 Sec. 139. Subsection (d) of section 21a-408v of the general statutes is  
 6598 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
 6599 *2021*):

6600 (d) Information obtained under this section shall be confidential and  
 6601 shall not be subject to disclosure under the Freedom of Information Act,  
 6602 as defined in section 1-200, except that reasonable access to registry  
 6603 information obtained under this section shall be provided to (1) state  
 6604 agencies, federal agencies and local law enforcement agencies for the  
 6605 purpose of investigating or prosecuting a violation of law, (2) physicians  
 6606 and pharmacists for the purpose of providing patient care and drug  
 6607 therapy management and monitoring controlled substances obtained by  
 6608 the research program subject, (3) public or private entities for research  
 6609 or educational purposes, provided no individually identifiable health  
 6610 information may be disclosed, (4) a licensed dispensary for the purpose  
 6611 of complying with sections 21a-408 to [21a-408n] 21a-408m, inclusive, as  
 6612 amended by this act, or (5) a research program subject, but only with  
 6613 respect to information related to such research program subject.

6614 Sec. 140. Sections 12-651 to 12-660, inclusive, and 21a-408n of the  
 6615 general statutes are repealed. (*Effective July 1, 2021*)

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	New section
Sec. 2	<i>January 1, 2022</i>	21a-279(a)
Sec. 3	<i>January 1, 2022</i>	21a-279a
Sec. 4	<i>January 1, 2022</i>	21a-267
Sec. 5	<i>January 1, 2022</i>	46b-120
Sec. 6	<i>January 1, 2022</i>	51-164n(b)

Sec. 7	<i>January 1, 2022</i>	New section
Sec. 8	<i>July 1, 2022</i>	54-142d
Sec. 9	<i>January 1, 2023</i>	New section
Sec. 10	<i>January 1, 2023</i>	54-142e
Sec. 11	<i>January 1, 2022</i>	New section
Sec. 12	<i>January 1, 2022</i>	New section
Sec. 13	<i>January 1, 2022</i>	New section
Sec. 14	<i>January 1, 2022</i>	New section
Sec. 15	<i>January 1, 2022</i>	21a-277(b)
Sec. 16	<i>January 1, 2022</i>	New section
Sec. 17	<i>January 1, 2022</i>	54-63d(c)
Sec. 18	<i>January 1, 2022</i>	New section
Sec. 19	<i>October 1, 2021</i>	10-221(d)
Sec. 20	<i>October 1, 2021</i>	New section
Sec. 21	<i>from passage</i>	New section
Sec. 22	<i>from passage</i>	New section
Sec. 23	<i>from passage</i>	New section
Sec. 24	<i>July 1, 2021</i>	New section
Sec. 25	<i>July 1, 2021</i>	New section
Sec. 26	<i>July 1, 2021</i>	New section
Sec. 27	<i>July 1, 2021</i>	New section
Sec. 28	<i>July 1, 2021</i>	New section
Sec. 29	<i>July 1, 2021</i>	New section
Sec. 30	<i>July 1, 2021</i>	New section
Sec. 31	<i>July 1, 2021</i>	New section
Sec. 32	<i>from passage</i>	New section
Sec. 33	<i>January 1, 2022</i>	New section
Sec. 34	<i>July 1, 2021</i>	New section
Sec. 35	<i>July 1, 2021</i>	New section
Sec. 36	<i>July 1, 2021</i>	New section
Sec. 37	<i>July 1, 2021</i>	New section
Sec. 38	<i>from passage</i>	New section
Sec. 39	<i>from passage</i>	New section
Sec. 40	<i>July 1, 2021</i>	New section
Sec. 41	<i>July 1, 2021</i>	New section
Sec. 42	<i>July 1, 2021</i>	New section
Sec. 43	<i>July 1, 2021</i>	New section
Sec. 44	<i>July 1, 2021</i>	New section
Sec. 45	<i>July 1, 2021</i>	New section
Sec. 46	<i>July 1, 2021</i>	New section

Sec. 47	July 1, 2021	New section
Sec. 48	July 1, 2021	New section
Sec. 49	July 1, 2021	New section
Sec. 50	July 1, 2021	New section
Sec. 51	from passage	New section
Sec. 52	July 1, 2021	New section
Sec. 53	July 1, 2021	New section
Sec. 54	July 1, 2021	New section
Sec. 55	July 1, 2021	New section
Sec. 56	January 1, 2022	New section
Sec. 57	July 1, 2021	New section
Sec. 58	July 1, 2021	New section
Sec. 59	from passage	New section
Sec. 60	July 1, 2022	New section
Sec. 61	July 1, 2021	New section
Sec. 62	July 1, 2022	New section
Sec. 63	from passage	New section
Sec. 64	from passage	New section
Sec. 65	from passage	New section
Sec. 66	October 1, 2021	21a-408
Sec. 67	July 1, 2021	21a-408a
Sec. 68	July 1, 2021	21a-408b
Sec. 69	July 1, 2021	21a-408c
Sec. 70	October 1, 2021	21a-408d
Sec. 71	July 1, 2021	21a-408f
Sec. 72	July 1, 2021	21a-408h
Sec. 73	October 1, 2021	21a-408j
Sec. 74	July 1, 2021	21a-408k
Sec. 75	October 1, 2021	21a-408m
Sec. 76	October 1, 2021	21a-408l
Sec. 77	July 1, 2021	21a-408p
Sec. 78	October 1, 2021	21a-408r
Sec. 79	July 1, 2021	21a-408t
Sec. 80	July 1, 2021	21a-408s
Sec. 81	July 1, 2021	21a-408u
Sec. 82	October 1, 2021	New section
Sec. 83	July 1, 2021	New section
Sec. 84	October 1, 2021	7-148(c)(7)(H)
Sec. 85	July 1, 2021	New section
Sec. 86	October 1, 2021	19a-342

Sec. 87	<i>October 1, 2021</i>	19a-342a
Sec. 88	<i>October 1, 2021</i>	31-40q
Sec. 89	<i>July 1, 2022</i>	New section
Sec. 90	<i>July 1, 2022</i>	New section
Sec. 91	<i>July 1, 2022</i>	New section
Sec. 92	<i>July 1, 2021</i>	New section
Sec. 93	<i>July 1, 2022</i>	New section
Sec. 94	<i>July 1, 2021</i>	New section
Sec. 95	<i>July 1, 2021</i>	New section
Sec. 96	<i>July 1, 2021</i>	New section
Sec. 97	<i>July 1, 2022</i>	New section
Sec. 98	<i>July 1, 2022</i>	New section
Sec. 99	<i>July 1, 2022</i>	New section
Sec. 100	<i>July 1, 2022</i>	New section
Sec. 101	<i>July 1, 2021</i>	New section
Sec. 102	<i>July 1, 2021</i>	21a-6
Sec. 103	<i>July 1, 2021</i>	21a-7
Sec. 104	<i>July 1, 2021</i>	21a-8(a)
Sec. 105	<i>July 1, 2022</i>	New section
Sec. 106	<i>January 1, 2022</i>	New section
Sec. 107	<i>January 1, 2022</i>	New section
Sec. 108	<i>January 1, 2022</i>	New section
Sec. 109	<i>January 1, 2022</i>	New section
Sec. 110	<i>January 1, 2022</i>	New section
Sec. 111	<i>January 1, 2022</i>	30-89a
Sec. 112	<i>October 1, 2021</i>	New section
Sec. 113	<i>October 1, 2021</i>	New section
Sec. 114	<i>July 1, 2021</i>	New section
Sec. 115	<i>April 1, 2022</i>	14-111e(a)
Sec. 116	<i>April 1, 2022</i>	14-227a(a) to (e)
Sec. 117	<i>April 1, 2022</i>	14-227a(j)
Sec. 118	<i>April 1, 2022</i>	14-227b
Sec. 119	<i>April 1, 2022</i>	14-227c
Sec. 120	<i>April 1, 2022</i>	14-44k(c)
Sec. 121	<i>July 1, 2021</i>	New section
Sec. 122	<i>April 1, 2022</i>	15-140q
Sec. 123	<i>April 1, 2022</i>	15-140r
Sec. 124	<i>July 1, 2021</i>	New section
Sec. 125	<i>July 1, 2021</i>	New section
Sec. 126	<i>July 1, 2021</i>	New section

Sec. 127	<i>July 1, 2021</i>	New section
Sec. 128	<i>July 1, 2021</i>	12-412(120)
Sec. 129	<i>July 1, 2021</i>	12-407(a)(37)(U)
Sec. 130	<i>July 1, 2021</i>	12-650
Sec. 131	<i>July 1, 2021</i>	12-30a(a)(1)
Sec. 132	<i>July 1, 2021</i>	12-35b(a)
Sec. 133	<i>July 1, 2021</i>	12-704d
Sec. 134	<i>July 1, 2021</i>	New section
Sec. 135	<i>July 1, 2021</i>	New section
Sec. 136	<i>July 1, 2021</i>	21a-408e
Sec. 137	<i>July 1, 2021</i>	21a-408i(b)
Sec. 138	<i>July 1, 2021</i>	21a-408o
Sec. 139	<i>July 1, 2021</i>	21a-408v(d)
Sec. 140	<i>July 1, 2021</i>	Repealer section

**JUD**      *Joint Favorable Subst.*

**APP**      *Joint Favorable*